

THE UNIVERSITY OF CALIFORNIA
SANTA BARBARA

THE UNIVERSITY OF CALIFORNIA
SANTA BARBARA

THE UNIVERSITY OF CALIFORNIA
SANTA BARBARA

THE UNIVERSITY OF CALIFORNIA
SANTA BARBARA

THE UNIVERSITY OF CALIFORNIA
SANTA BARBARA

THE UNIVERSITY OF CALIFORNIA
SANTA BARBARA

THE UNIVERSITY OF CALIFORNIA
SANTA BARBARA

THE UNIVERSITY OF CALIFORNIA
SANTA BARBARA

THE UNIVERSITY OF CALIFORNIA
SANTA BARBARA

THE UNIVERSITY OF CALIFORNIA
SANTA BARBARA

THE UNIVERSITY OF CALIFORNIA
SANTA BARBARA

THE UNIVERSITY OF CALIFORNIA
SANTA BARBARA

THE UNIVERSITY OF CALIFORNIA
SANTA BARBARA

THE UNIVERSITY OF CALIFORNIA
SANTA BARBARA

THE UNIVERSITY OF CALIFORNIA
SANTA BARBARA

THE UNIVERSITY OF CALIFORNIA
SANTA BARBARA

THE UNIVERSITY OF CALIFORNIA
SANTA BARBARA

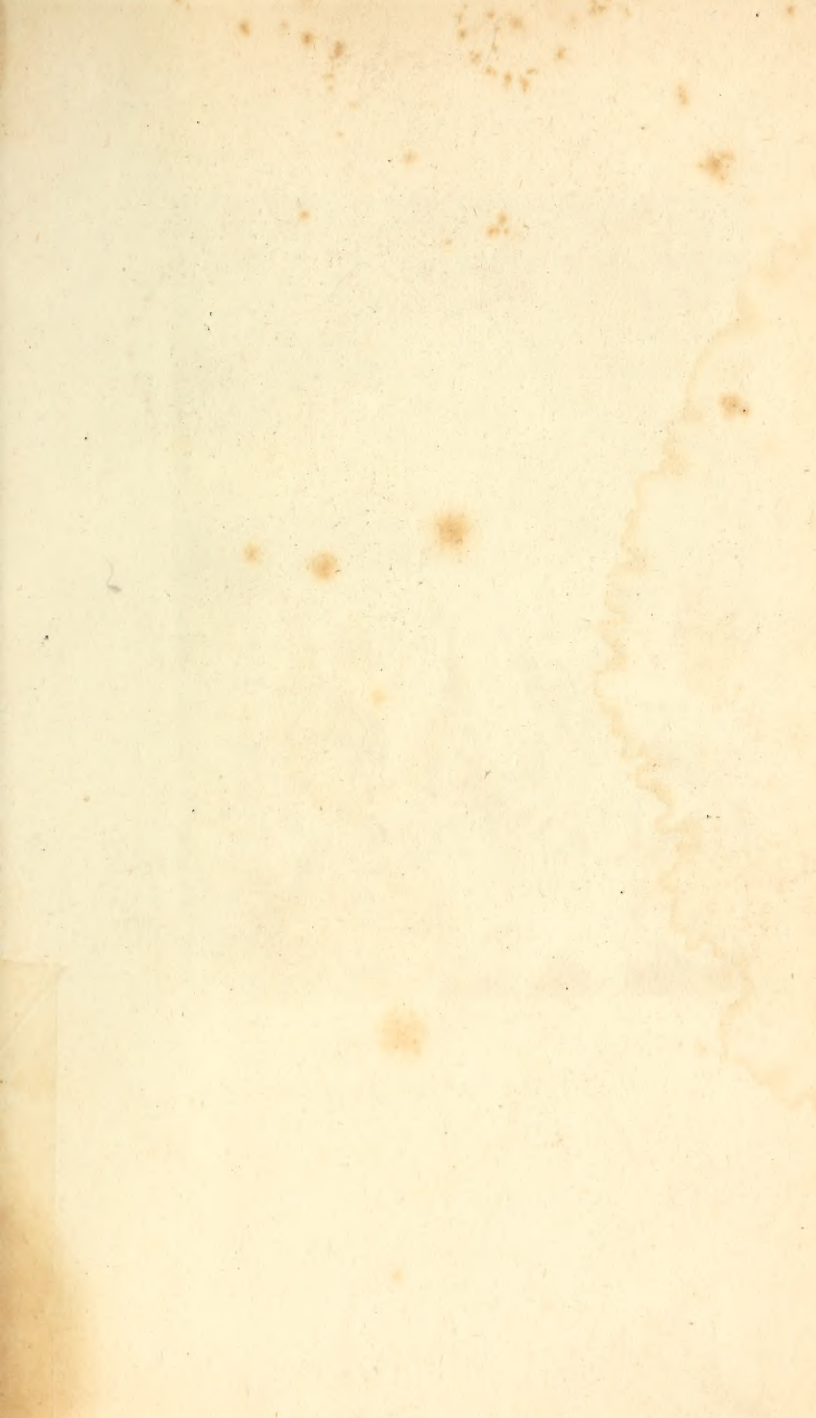
THE UNIVERSITY OF CALIFORNIA
SANTA BARBARA



Digitized by the Internet Archive
in 2008 with funding from
Microsoft Corporation

<http://www.archive.org/details/historyofengland01adol>







J. J. Wynne del. pinx.

R. H. Cromack sc.

GEORGE III. KING *of* GREAT BRITAIN
AND IRELAND.

From an Original Picture in the

Royal Academy.

Published May 1. 1802, by Cadell & Davies Strand.

C. K. OGDEN
THE
HISTORY
OF
ENGLAND,
FROM
THE ACCESSION
OF
KING GEORGE THE THIRD,
TO THE
CONCLUSION OF PÉACE
IN THE YEAR
ONE THOUSAND SEVEN HUNDRED AND EIGHTY-THREE.

BY
JOHN ADOLPHUS, ESQ. F.S.A.

IN THREE VOLUMES.

VOL I.

LONDON:

PRINTED FOR T. CADELL, JUN. AND W. DAVIES,
IN THE STRAND.

1802.

THE
HISTORY
OF
ENGLAND
FROM
THE ACCESSION
OF
KING GEORGE THE THIRD,
TO THE
CONCLUSION OF PEACE
IN THE YEAR
ONE THOUSAND SEVEN HUNDRED AND EIGHTY-THREE.

BY
JOHN ADOLPHUS, ESQ. F.R.S.

IN THREE VOLUMES.

VOL. I.

LONDON:

PRINTED BY T. A. CARRILL, JUN. AND W. DAVIES,
IN THE STRAND.

1807
Luke Hanford, Printer,
Great Tarantile, Lincoln's-Inn Fields.

505
A3
61

P R E F A C E.

WHEN I undertook the Work which is now submitted to the Public, I did not overlook the difficulties of the execution, nor overrate my own powers.

I FULLY appreciated the delicacy of detailing the annals of a living sovereign, and of descanting on the conduct and motives of men who yet survive, or who have been recently removed from the busy scene. I was aware that bitter calumny or fulsome adulation had disfigured most of their characters; and that the real image of persons, as well as the true colour of events, could with difficulty be discerned through the noxious mist or splendid vapour. I knew that other writers had executed the same task, and had even extended their labours to a nearer, and consequently more interesting period than that which it was my inten-

tion for the present to occupy ; and as my manner of estimating characters, and considering events, differed materially from theirs, I did not disguise from myself the reasons for apprehending, that my Work would be exposed to some disadvantages from the effects of prepossession.

HISTORY has been termed, by a just and well known definition, Philosophy, instructing by examples ; but the nature of the doctrine will always be considerably influenced by the temper, views, and prejudices of the historian ; and that writer must be highly culpable, who, before he undertakes the task of directing the opinions of mankind on the most important subjects, omits examining with diligence and candour the feelings, limits, and bias of his own mind, estimating his means of information, and earnestly seeking to discover, with a view of mitigating their effects, the predilections, antipathies, hopes, and fears by which he is actuated. If these are suffered to operate in discolouring the narrative, which ought to be given with the utmost candour, the Author is guilty of a fraud in announcing his Work as a *History* ; it is, at the utmost, but an historical Essay, in which the Writer, assuming the part of a disputant, bends facts, characters, and circumstances to his own views ; falsifies, suppresses, or perverts them, to suit his purposes, and instead

stead of informing, seeks only to persuade, seduce, or corrupt the reader.

WORKS written in this manner, and published under the denomination of History, are filled with redundant and indiscriminate praise of some personages; while others are loaded with malevolent and unsparing abuse. To justify these extremes, Authors imagine, for the personages of their narratives, a consistent uniformity of intention and conduct, which truth never has been able to pourtray; nor a careful inspector of human life to discern. That men should be steadfastly patriotic, and in their pursuit of the public good, always temperate, just, and self-denying, is very desirable, but the historian feels with sensible regret, the necessity of recording the aberrations of the most elevated minds; and that work must be a romance, not a history, which fails to shew that individuals, whose general views have been directed to the benefit of their country, have been in occasional acts, rash, vain, factious, arbitrary, or absurd. Such are the materials presented by the course of events, that a party writer, taking the bright or the clouded parts of characters, receiving with avidity the vehement assertions of panegyrists or detractors, and suppressing the facts or observations on the other side, may, for the moment, make almost any impression, without foregoing the appearance of candour;

but truth will, in time, forcibly appeal against such misrepresentations, and the gloss of exaggerated applause, and the blots of unmerited censure being removed, her interesting features will be contemplated with a regard, heightened in consequence of the temporary concealment.

It may still be doubted, whether the period is yet arrived, when the conspicuous persons of the present reign can be so impartially reviewed. The heat of party contest has rendered the public so familiar with calumnious declamation, that the historian incurs some risk in venturing to dismiss from his vocabulary certain abusive phrases, or in presuming to doubt of certain supposed political facts, so gravely advanced, and so forcibly urged by the wise and the eloquent. He exposes himself to a still greater hazard in attempting to rescue from long accredited imputations, characters, whom the enmity of faction, and the greedy credulity of the public, have consecrated to obloquy, and in venturing to shew, that in many instances unblushing calumny has been mistaken for sober truth, faction for patriotism, and selfishness for public spirit.

SUCH has often been the nature of my task ; in the execution of which, it has been my endeavour to avoid a too common error ; I have not, in order to illustrate the principles and conduct of one man whom I thought injured, retaliated

liated on his opponents. I have been slow in imputing to individuals those base designs against either Liberty or Government, which have been so profusely assigned to them. I have generally found in the state of party connexions, and the legitimate objects of honourable ambition, sufficient means of accounting for the actions of men either possessed of, or struggling for power, without feigning, as a cause of their conduct, an excess of mental depravity or political turpitude, which is characteristic neither of the nation, nor the times on which I have treated.

I WILL not affect to conceal, that a regard for the constitution of my country, both in Church and State, ever present to my mind, has diffused itself through my Work. I have treated that constitution not as a project, but as an establishment, entitled to veneration from every observer, and to support from all those whom birth or accident has made partakers of its blessings. I have not therefore lent my approbation to crude reforms, or to the conduct of individuals, who, for purposes of ambition, have endeavoured to unsettle that which was fixed, and more than once succeeded in exciting the public mind to a dangerous ferment of disaffection. But in that attachment for the constitution, I have not, I trust, be-

trayed an indecent violence against those whom I considered its assailants; I have endeavoured to assign to them and to their opponents, indeed to every man, whether exalted or obscure, illustrious from merit, or degraded by crime, his real motives, and true course of conduct.

I HAVE never been able, nor has the course of my reading given me the inclination to coincide with those authors or orators, who are pleased to inveigh, with almost indiscriminate severity, against the foreign and domestic government of Great Britain. These highly seasoned invectives may be gratifying to some readers; and to them the more plain, tranquil narrative of undisguised fact may seem insipid: but reputation derived from such sources has never been the object of my desire; I confine myself with strict forbearance to the paths where I expect to find certain truth, and do not, in order to be thought courageous, attack, where I am sure not to be encountered, nor calumniate those whom station, circumstances, time, or death, render undesirous or incapable of resentment. Far from envying the applauses obtained by those disciples of Thermites, who claim the merit of wit and courage by rancorous abuse on the sovereign, government, and constitution of the country; I can without hesitation declare my opinion,
that

that in the period on which I have written, the throne has been filled by a monarch who has fought the love of his subjects through the means of public spirit and private virtue; and who has tempered a noble desire to preserve from degradation the authority he inherits, with a firm and just regard to the constitution and liberties which conducted him to the throne, and which will ever form its best supports. Far from thinking that the aims of successive administrations have been directed to overthrow the liberties and constitution of the country; I am persuaded that liberty has been better understood, and more effectually and practically promoted during this period, than in any which preceded; and that the affairs of government have been always honestly, though sometimes imprudently, and in the conspicuous instance of the American war, unsuccessfully administered.

BUT whatever credit may be given, or whatever censure directed to the motives or intention of an historian, the information he imparts will contribute more than any other cause, to the permanent establishment of his character. Opinions vary, fade, are forgotten; applause and blame are transferred from public characters according to the mutability of general opinion; but the narrative of facts will ever claim attention; and the historian who has bestowed the greatest portion of diligence

gence and judgment on this part of his subject, will be most permanently esteemed. In the honest hope of this approbation, I have exerted every faculty of my mind; adverted to every attainable source of intelligence within my knowledge, and omitted no labour of inquiry or comparison, to furnish a performance satisfactory to the reader and creditable to myself.

For the general mass and outlines of events, I have explored with diligence the diurnal, monthly, and annual stores of information; repositories in which, if there is much to reject and condemn, there are also copious, useful, and certain details, important records of sentiments, transactions, and publications, and an ample stock of indispensable information, though not in itself sufficient to form the materials of history.

In aid of these, I have referred to an ample collection of pamphlets, narratives, historical and political tracts, which the freedom of the press has copiously afforded in gratification of the public curiosity.

In testimony of the authenticity of my narrative, I have been scrupulously exact in citing my authorities generally at the page, but at least at the chapter or section of the works referred to. In this I consulted my own reputation, not for extensive reading, but for veracity of narration; for had an ostentation of labour been my object, I could easily have

have swelled into tediousness the catalogue of works I have been obliged to peruse, without deriving from them any fact sufficiently important for commemoration.

The principal exceptions to the rule of precise citation, are the common facts which are well known and undisputed; and which are preserved in all the periodical compilations.

AN apology may perhaps appear necessary for the length at which some of the parliamentary debates are recited; but those who consider the great efforts employed in the senate, during the whole of this reign, and the effects of parliamentary eloquence in guiding the public mind, will not think the narrative of these discussions too minute. No part of my task has been more laborious, more difficult, or delicate, than that of selecting the most forcible reasons urged on each side, and impartially giving to both their utmost interest. In performing this part of my undertaking, I have found much previous misrepresentation to correct; many arguments given as unanswered, ably refuted; many assertions and speculations attributed to particular speakers, unrecorded, uttered by others, or accompanied by qualifying additions, which totally varied the sense from that which is impressed on the public. In general I have preferred the historical mode, in recapitulating the chief arguments on each side

in

in a mass ; but from this practice, the reader will find occasional deviations ; first, where any member has from peculiar circumstances, or a celebrated display of eloquence, rendered himself eminently conspicuous ; secondly, where the nature of the question has been such as to render the sentiments of each speaker, and his mode of enforcing them, worthy of specific notice. The debates on those measures against the town of Boston which occasioned the American war, are the most conspicuous examples of the latter mode of detail. For these discussions, I have been obliged to rely on the collection of debates, published by Almon and Debrett ; a work which is in many instances tinged with party prejudice ; and in some, disfigured by negligence, but which is nevertheless the only permanent and regular record of those interesting exertions which have given a character to the foreign and domestic acts of the nation, and which the historian is indispensably obliged to relate. The votes, journals, and reports of parliament, have formed a valuable addition, and frequently furnished the means of correcting the mistakes of the parliamentary register.

In narrating the progress of the American war, I have relied in great part on Stedman's history of that contest ; but not so implicitly as to omit consulting other printed authorities, which the reader will see referred to in every chapter.

chapter. But I have been enabled to obtain documents on this subject, which were never before thrown open to the historian, and private information from persons of the first talent and character, who possessed the most ample means of imparting intelligence.

MANY hitherto unnoticed narratives of transactions in Ireland are preserved in periodical compilations; of these I have diligently availed myself, but have derived much more important information from valuable unpublished documents with which I have been favoured.

ON the affairs of India, I have diligently consulted, and placed my chief reliance on the reports published by parliament. The events of Mr. Hastings's government are omitted in the present work, as I considered their more natural and proper situation to be in the interval between the peace of 1783, and the period when new regulations were adopted for the government of the Asiatic territories. These transactions will engage my early attention, when I proceed in continuation of my present work.

I HAVE on many occasions referred to private information, and epistolary documents. On this head, I am peculiarly obliged to Henry Penruddock Wyndham, esquire, member of parliament for the county of Wilts, for his liberal communication of the Melcombe Papers,

pers, which afforded much new and interesting information on the character and conduct of lord Bute, and from which I have been enabled to insert some valuable letters in the appendix. I am also proud to express my grateful acknowledgments to the reverend William Coxe, for giving me unlimited access to his valuable and extensive collection of state papers and historical documents. Nothing could be more gratifying to my ambition, or more honourable to my character, than a distinct recapitulation of the other persons to whom I am obliged on these subjects; but their delicacy forbids the public homage of my gratitude, and I should shew myself unworthy of confidence, if I suffered hints or descriptions to escape me which would lead from conjecture to certainty, and indirectly baffle the wishes of those who in this instance have a right to command. I have, however, in a short appendix to each volume, given a few papers extracted from the principal correspondence to which I have had recourse, not as containing the whole body of that evidence in support of the facts advanced, but as a test of my veracity, and as an object of reference, through which, by consulting with living witnesses, the reality of my authorities, and my fidelity in reciting them, may be fully established.

THE length of this preface will shew, that which I have no desire to conceal, my solicitude for the favourable reception of this work. I do not court the aid of party to rescue it from censure, for it is so composed, that I know not to what party I should apply; but I depend with confidence, though not without anxiety, on the candid judgment of all parties; resting my principal hope on a consciousness of my own good intentions, and on a recollection of the pains I have taken to procure accurate and copious information, and to relate with proper temper the progress of political contests, unprecedented both in their nature and effects.

C O N T E N T S

O F

V O L. I.

CHAP. I. 1760—1761.

TH E King's accession, *page* 1.—Retrospect of his education and connections, 2.—Brief account of the principal persons composing the ministry, 6.—First transactions on the death of George II. 10.—The King's address to the Council, 11.—The duke of York and lord Bute privy counsellors, 12.—The King's friendship for lord Bute, 13.—Character of that nobleman, *ib.*—New System of Government planned, 14.—Popularity of the King, 15.—Meeting of parliament, 16.—The King's speech, *ib.*—Addresses, 19.—Civil list, *ib.*—Supplies, 20.—Commissions of the Judges made permanent, and their salaries increased, *ib.*—Speaker Onslow retires with a pension and honours, *ib.*—Dissolution of parliament, 21.—The King's desire of peace, *ib.*—Causes of the popularity of the war, *ib.*—Arguments against it, 22.—Mr. Pitt zealous in prosecuting the war, 25.—Changes in the ministry, 26.—Lord Bute secretary of state.

CHAP. II. 1761.

State of the belligerent powers, *page* 29.—Congress proposed, *ib.*—Progress of the campaign, 32.—Capture of Schweidnitz by the Austrians, *ib.*—Battle of Fillinghausen, *ib.*—Capture of Belleisle, 33.—and of Dominica, 34.—Reduction of the Cherokees, *ib.*—War in India, *ib.*—Capture of Mibie, *ib.*—Invasion of Bengal by the Shah Zaddah, *ib.*—Exploits of d'Estaing, 35.—Tranquillity of Great Britain, *ib.*—The King's marriage, *ib.*—Coronation, *ib.*—Negotiations for
VOL. I. b peace

peace with France, 36.—Terms proposed by the French, *ib.*—They introduce the discussion of Spanish Affairs, *ib.*—Spirited conduct of Mr. Pitt, 40.—Answer to the French propositions, 41.—Family compact signed, 42.—Mr. Pitt's instructions to lord Bristol, ambassador at Madrid, 43.—Lord Bristol's explanations with the Spanish secretary of state, *ib.*—Mr. Pitt proposes to declare war against Spain, 46.—He and lord Temple determine to resign, *ib.*—Mr. Pitt's resignation, 50.—Lord Bute considered at the head of the administration, 53.—Meeting of parliament, 54.—The Queen's dowry settled, 56.—Recess, *ib.*

CHAP. III. 1761—1762.

Progress of the negotiation with Spain, *page* 57.—Disposition of the British cabinet, *ib.*—Lord Bristol makes repeated inquiries respecting the family compact, but without effect, 58.—Quits Spain, 65.—Memorial of De Fuentes, 66.—Declaration of war, 67.—France and Spain attempt to engage Portugal in their cause, 68.—But failing, declare war against that kingdom, 70.

CHAP. IV. 1762.

Proceedings in parliament, *page* 71.—Motion for papers, 72.—Assistance granted to Portugal, 73.—Prorogation, 74.—Disunion in the cabinet, 75.—The duke of Newcastle resigns, 76.—Lord Bute's ministry, *ib.*—He discontinues the Prussian subsidy, 77.—Death of Elizabeth, empress of Russia, *ib.*—Peace between Russia and Prussia, *ib.*—Report of lord Bute's clandestine negotiations with Russia and Austria, examined and refuted, 78.—Revolution in Russia, 84.—Disposition of Catherine II. *ib.*—The king of Prussia takes Schweidnitz, 85.—Cassel taken, 86.—Expedition against Martinico, *ib.*—Capture of Grenada and its dependencies, 87.—The French take the town of St. John's, Newfoundland, 88.—Which is recaptured, *ib.*—War in Portugal, *ib.*—Rapid success of the Spaniards, *ib.*—Arrival of the British Troops, 89.—General Burgoyne takes Valencia, 90.—Beats up the enemy's quarters at Villa Velha, *ib.*—Retreat

of the Spaniards, 91.—Expedition against the Havannah, 92.—Progress and success of the siege, *ib.*—Expedition against the Philippine Isles, 95.—Manilla taken, 96.—Capture of the Santissima Trinidad, and of the Hermione, *ib.*—Unsuccessful expedition against Buenos Ayres, 97.

CHAP. V. 1762—1763.

Birth of the Prince of Wales, *page* 99.—Address from the city of London, 100.—Negotiations for peace, *ib.*—State of the public mind, 101.—Honours conferred on lord Bute, *ib.*—Changes in the Ministry, 102.—Proceedings in the City of London, 103.—Buckford made lord mayor, 104.—Progress of the treaty for peace, *ib.*—Preliminaries signed, 105.—Examination of the terms, 106.—Objections and observations, 110.—Discussion of the preliminaries in parliament, 114.—Definitive treaty signed, 117.—General pacification, *ib.*

CHAP. VI. 1763.

Formation of opposition, *page* 118.—Proceedings in parliament, 119.—Cyder tax, 120.—Petitions of the city of London, *ib.*—and other places, 121.—Relief granted to the Americans, 122.—Resignation of lord Bute, *ib.*—His character, 129.—Virulence of political publications, 131.—The North Briton, 132.—General Warrants issued, *ib.*—Wilkes arrested and committed to the Tower, 133.—Proceedings thereon, 134.—He is discharged, 135.—and deprived of his commission, *ib.*—Lord Temple dismissed, 136.—Wilkes's intemperate proceedings, *ib.*—Death of lord Egremont, 137.—Negotiation with Mr. Pitt, *ib.*—Duke of Bedford's ministry, 139.—Wilkes publishes sundry libels, 140.—and goes to France, 141.

CHAP. VII. 1763—1764.

Meeting of parliament, *page* 142.—Proceedings respecting Wilkes, *ib.*—Riot on burning the North Briton, 147.—Further proceedings in parliament, 148.—Actions tried against

the Messenger, *ib.*—Wilkes goes to France, 151.—Marriage of the princess Augusta, *ib.*—Wilkes expelled the house of commons, 151.—Debates on privilege, and no General Warrants, 152.—Wilkes's trial and outlawry, 154.—Supplies, 155.—Resolutions for taxing America, *ib.*—Prorogation of parliament, *ib.*—View of American affairs, 156.—Government of Canada, 162.—Intrigues of the French in Canada, 163.—Indian War, *ib.*—Regulations for prevention of smuggling, 165.—Conduct of the New England Provinces, 168.—Dr. Franklin sent to England as Agent, 169.—His character, *ib.*

CHAP. VIII. 1765.

State of Ireland, *page* 171.—Retrospective view of its constitution and government, 172.—State of parties at the King's accession, 179.—Disputes in the cabinet, 180.—Conduct of lord Halifax, the lord lieutenant, *ib.*—Outrages of the lower class of people, 182.—The earl of Northumberland lord lieutenant, *ib.*—Debates on the pension list, *ib.*—State of foreign powers, 184.—The French seize and restore Tortuga, 185.—Spain commits irregularities, *ib.*—but makes satisfaction, *ib.*—Affairs of Poland and Russia, 185.—Meeting of the British parliament, 189.—Taxation of America, *ib.*—Debates on General Warrants, 192.—On informations *ex officio*, *ib.*—The Isle of Man annexed to the realm, *ib.*—Regency act, 194.—Insurrection of silk weavers, 195.—Negotiations for a change of ministry, *ib.*—Meeting of the ministry in Downing Street, and terms proposed to them by the king, 197.—Rockingham administration formed, 199.—Death of the duke of Cumberland, *ib.*—and of prince Frederick, 200.

CHAP. IX. 1765—1766.

Examination of the motives for opposing the stamp act, *page* 201.—Formation of parties in America, 203.—Exertions of the Presbyterians, *ib.*—Discontents on the arrival of the stamp act, 206.—Proceedings in Virginia, 207.—and in New England, 209.—Preparations for holding a congress,

210.—Combinations against the use of stamps, *ib.*—Riots at Boston, *ib.*—Meeting, proceedings, and dissolution of congress, 211.—The delivery of stamps prevented, 214.—Proceedings of the ministry, 215.—Meeting and recess of parliament, 217.—Consultation of the ministry, *ib.*—Proceedings in parliament, 218.—Debate on the address, 219.—Measures for repealing the stamp act, *ib.*—Evidence before the house, 233.—Debates on the declaratory and repealing acts, 234.—Act of indemnity, *ib.*—Cyder tax repealed, *ib.*—General warrants declared illegal, 235.—Other acts of the ministry, 236.—Their feebleness, *ib.*—Duke of Grafton resigns, 237.—Intrigue of lord chancellor Northington, 238.—Overtures made to Mr. Pitt, 240.—His quarrel with lord Temple, *ib.*—Mr. Pitt's ministry, 242.—He is made a peer, *ib.*—Rockingham administration dismissed, 243.—Compliments paid to the marquis of Rockingham, *ib.*—Efforts to render lord Chatham unpopular, *ib.*

C H A P. X.

Retropective view of the affairs of India, *page* 245.—Origin of territorial acquisition by the Europeans, 246.—Hostilities between the French and English, 248.—Arrangements at the peace, 249.—Disputes of the native princes, 250.—Destruction of Delhi, 251.—Independence of the Nabobs established, 252.—Affairs of the Carnatic, *ib.*—and of Bengal, *ib.*—Intrigues of Jaffier Ally, 253.—Siege of Patna by the Shah Zaddah, 254.—Treachery of the young nabob, Jaffier's son, 255.—His misconduct and sudden death, 258.—Position of Mir Jaffier's affairs, 259.—The Shah Zaddah declared great mogul, 260.—Interview of the British council with Cossim Ally, Jaffier's son-in-law, at Calcutta, 261.—Expedition to Moorshedabad, 263.—Revolution in Bengal, 264.—Jaffier deposed, 265.—Cossim proclaimed nabob, 266.

C H A P. XI. 1760—1763.

Affairs of India continued, *page* 268.—Conduct and character of Mir Cossim, *ib.*—His efforts to destroy the Rajah Ramnarain, 269.—Differences in the council respecting the revolution,

tion, 270.—Conduct of the English to Cossim, 271.—His efforts to diminish their influence, 273.—Mr. Vansittart goes to Monghir, 274.—Concludes an improvident treaty, the enforcement of which occasions many complaints, *ib.*—Deputation sent to Monghir, who are ill used and assassinated, 276.—Patna taken by the English, 278.—Bur recaptured, and the factory made prisoners, *ib.*—Mir Jaffier restored, *ib.*—Successful military operations of major Adams, 279.—Massacre of the British prisoners at Patna, 281.—Capture of that city, 282.—Total conquest of Bengal, *ib.*—Flight of Cossim, *ib.*

CHAP. XII. 1764—1766.

Affairs of India continued, *page* 284.—Disputes at the India house, *ib.*—Lord Clive appointed chief governor, 285.—Cossim received and protected by Sujah ul Dowlah, nabob of Oude, *ib.*—who makes hostile preparation against the English, 286.—Death of major Adams, 287.—Mutinous state of the army, *ib.*—Battle of Buxar, 288.—Shah Allum escapes to the English camp, and enters into a treaty, 289.—Sujah ul Dowlah solicits peace, 290.—which is refused, *ib.*—Surrender of Chander Gher, 291.—Allahabad, the capital of Oude taken, 292.—Death of Mir Jaffier, *ib.*—The council declare Najim ul Dowlah his successor, 293.—Arrival of lord Clive, 294.—Final overthrow of Sujah ul Dowlah, *ib.*—He surrenders himself to the English, 295.—An advantageous peace concluded, *ib.*—Efforts of lord Clive to restore order and Economy, 298.—Mutiny of the military suppressed by lord Clive, 299.—Prosperity of the company, 301.—The dividends augmented, 302.

CHAP. XIII. 1766—1767—1768.

Transactions in America, *page* 303.—Effect of repealing the stamp act, *ib.*—And of the declaratory act, 304.—Contumacy of the colonists, 305.—Disasters in the West Indies, 307.—Scarcity of grain in England, *ib.*—Embargo laid by order of the privy council, *ib.*—Meeting of parliament, 308.—Indemnity bill, *ib.*—Lord Chatham's efforts to gain adherents,

314.—Partial change of the ministry, 315.—Embarrassments of lord Chatham, 316.—His ill health, *ib.*—Want of union in the cabinet, 317.—Affairs of the East India company discussed in parliament, 318.—They declare an increased dividend, 320.—Regulating and restraining acts passed, *ib.*—Suspension of the legislature of New York, 321.—New duties on exports to America, *ib.*—Attempts to form ministerial arrangements, 322.—Projects and death of Charles Townshend, chancellor of the Exchequer, 323.—His character, 324.—Lord North, chancellor of the exchequer, 326.—His character, *ib.*—Grafton administration, *ib.*—Meeting of parliament, 327.—Restriction of dividends on East India Stock, *ib.*—Nullum Tempus bill rejected, 328.—Occasion of the motion, *ib.*—Prerogation and dissolution of parliament, 332.

CHAP. XIV. 1767—1768.

State of Europe, *page* 333.—Power of the Jesuits, *ib.*—Their expulsion from Spain and Naples, 335.—and final suppression, 338.—State of France, *ib.*—Seizure of Avignon, 339.—War in Corsica, *ib.*—The island subdued by the French, 342.—War between the Turks and Russians, *ib.*—Affairs of America, 343.—Exertions against the new taxes, *ib.*—Disputes between the governor and legislature of Massachusetts's bay, 344.—Proceedings of the assembly, 345.—Their circular letter, *ib.*—Libels on the governor, 347.—Prorogation of the assembly, *ib.*—Their inflexibility, 349.—and dissolution, *ib.*—Temper of the people, *ib.*—Seizure of Hancock's sloop, 350.—Town meetings, *ib.*—Convention, 351.—Arrival of the troops, 353.—Tranquillity of New York, 354.—Affairs of Ireland, *ib.*—Brief retrospect, *ib.*—The lord lieutenant obliged to reside, 355.—Efforts of the people to alter the constitution of parliament, *ib.*—Lord Townshend appointed, 357.—An octennial bill is at length passed, and receives the royal sanction, *ib.*

CHAP. XV. 1768—1769.

Retrospect of the transactions of the reign, *page* 360.—Conduct and disposition of the king, 361.—His patronage of the fine arts,

arts, 362.—Parliamentary censure on the magistrates of Oxford, 363.—Wilkes's return to England, *ib.*—He is elected member for Middlesex, 365.—Meeting of parliament, *ib.*—Proceedings against Wilkes, *ib.*—He is committed to the king's bench prison, 366.—Rescued by the mob, *ib.*—Surrenders, *ib.*—Daily riots, *ib.*—Soldiers fire on the people, 367.—Increasing violence of the populace, *ib.*—Sentence of the court of king's bench on Wilkes, 368.—Prosecution of Mr. Gillam, the magistrate, by whose authority the military acted, *ib.*—Resignation of lord Chatham, 369.—Serjeant Glynn elected for Middlesex, *ib.*—Meeting of parliament, 370.—Wilkes's petition, *ib.*—Various motions, *ib.*—He is brought before the house of commons, 371.—His complaints declared frivolous, *ib.*—His letter to lord Weymouth, 372.—who complains of a breach of privileges, 372.—Wilkes expelled, *ib.*—His character, 374.—His cause espoused by the freeholders of Middlesex, 375.—He is re-elected, *ib.*—Declared incapable of sitting, *ib.*—Strenuously supported by the freeholders, 376.—Meeting of merchants on the opposite side, 377.—They are insulted, *ib.*—Their progress to St. James's, *ib.*—Wilkes again elected, 378.—The election declared void, *ib.*—Colonel Luttrell opposes him, *ib.*—Wilkes returned, 379.—The return altered, *ib.*—Petitions of the freeholders, *ib.*—Proceedings in parliament relative to America, *ib.*—Debates on the conduct of the legislature of Massachusetts's Bay, 380.—Debate on reviving an obsolete statute of Henry VIII. 383.—Debate on the right of taxing, 385.—Respecting Corsica, 386.—Nullum Tempus act, *ib.*—Arrears of the civil list discharged, *ib.*—Agreement with the East India company, 387.—Prorogation, *ib.*

CHAP. XVI. 1766—1770.

Affairs of India, *page* 389.—Conduct of lord Clive, *ib.*—State of the company's possessions, 390.—Mode of letting lands, *ib.*—Reform attempted, 391.—Difficulties of the company, 392.—Mismanagement in India, 393.—Immense exportation of bullion, 394.—Gold coined, 395.—Regulation of inland trade, 396.—Lord Clive returns to England, 397.—Account of Hyder Ally, 398.—His enmity against the English, 399.—
The

The nizam of the Deccan declares war, *ib.*—but is compelled to make peace, *ib.*—Progress of the war with Hyder Ally till the peace, *ib.*—Effects of the war, 402.—Alarm in England, 403.—Depreciation of India Stock, *ib.*—Supervisors appointed, *ib.*—Claims of government, *ib.*—Final adjustment, 404.—Perturbation of the public, *ib.*—Middlesex petition, 405.—London petition, *ib.*—Publication of Junius's letters, 406.—His libel on the king, 408.—Beckford elected lord mayor, *ib.*—Affairs of Ireland, *ib.*—Augmentation of the military establishment, 409.—Money bill rejected, 410.—The lord lieutenants protest, *ib.*—Sudden prorogation of the Irish parliament, 411.

C H A P. XVII. 1770.

Meeting of parliament, *page* 413.—King's speech, *ib.*—Strenuous debates on the address, 414.—Speech of lord Camden, 423.—Address opposed in the house of commons, 424.—But carried, 426.—Second debate, *ib.*—Strength of opposition, 427.—Conduct of lord Camden, *ib.*—His dismissal, 428.—Mr. Yorke appointed lord chancellor, *ib.*—His Death, *ib.*—and character, 429.—Great seal put in commission, *ib.*—Motion in the lords for a committee on the state of the nation, 430.—Total change of ministry, 436.—Lord North's administration, *ib.*—State of the nation debated in the house of commons, *ib.*—In the house of lords, 438.—Committee dissolved, 441.—Motion of the earl of Marchmont, affirming that the house of lords had no right to interfere in the decisions of the house of commons, *ib.*—Altercation respecting the official conduct of lord Camden, 442.—Lord Marchmont's motion carried, 443.—Bill for regulating the consequences of expulsion, 444.—Withdrawn, *ib.*—Turbulence of the city of London, *ib.*—Proceedings of the common council and livery, *ib.*—Their remonstrance to the king, 445.—Delivered to him on the throne, 446.—His answer, *ib.*—Proceedings in parliament, 447.—Address of both houses, 448.—Remonstrances of Westminster and Middlesex, *ib.*—Wilkes liberated, *ib.*—Lord Chatham's bill for reversing the decision of the house of commons in his case, 449.—Rejected, 451.—Lord Chatham's motion on the answer to the London remonstrance, *ib.*—Rejected, 453.—Lord Chatham's motion for a dissolution of parliament,

parliament, *ib.*—Rejected, *ib.*—Mr. Dowdeswell's motion to disqualify revenue officers, *ib.*—Rejected, *ib.*—Law for annulling the protections granted by peers to their servants, *ib.*—Mr. Grenville's bill for deciding petitions on controverted elections, 455.—Inquiry into the civil list, 456.—Petition from American merchants, 458.—Repeal of duties, except on tea, *ib.*—Motion for papers, 459.—For examination of the instruction to governors, 460.—Motions in the lords, *ib.*—Prorogation, *ib.*

CHAP. XIII. 1769—1770—1771.

View of America, *page* 462.—Effect of reviving the statute of Henry VIII. *ib.*—In Massachusset's Bay, 463.—Proceedings of the legislature, *ib.*—Proceedings in other provinces, 464.—Non-importation committees formed, *ib.*—Examination of the conduct of ministry, 465.—Conduct of the people of Boston towards the military, *ib.*—Riot in Boston, 466.—Town meeting, 469.—Soldiers removed, 470.—Efforts to inspire revenge, *ib.*—Trial and acquittal of captain Preston and his soldiers, *ib.*—General court removed to Cambridge, 471.—Unpopularity of the non-importation agreement, *ib.*—Which is renounced on the repeal of the duties, *ib.*—Remonstrance of the city of London to the king, 472.—Behaviour of Beckford, *ib.*—Approved by the city, 473.—Address on the birth of a princess, 474.—Address of the city to lord Chatham, *ib.*—Death of Beckford, 475.—Combination of France and Spain, 476.—Account of Falklands islands, *ib.*—Expulsion of the English colonists by the Spaniards, 484.—Exertions of ministry, 486.—Conduct of opposition, *ib.*—Westminster meeting, 487.—Debates in parliament on the aggression of Spain, 488.—Progress of negotiation, 492.—Unwillingness of France to engage in war, 496.—Dismission of Choiseul, 497.—Concession of Spain, and final adjustment, *ib.*—Changes in the ministry, 498.—Disagreement between the two houses of parliament, *ib.*—Arrangement with Spain approved, 500.—Trials of certain printers for publishing Junius's Letters, 501.—Discussion of lord Mansfield's doctrine in cases of libels, 504.—He leaves
a written

a written document with the clerk of the house of lords, 506.
Disfranchisement of the electors of New Shoreham, 507.

CHAP. XIX. 1771—1772.

Dispute between the house of commons and the city, *page* 511.

—Publication of debates, *ib.*—Colonel Onslow's complaint of a breach of privilege, *ib.*—Printers ordered to attend at the bar, 512.—Their contumacy, *ib.*—Order for taking them in custody, 513.—Proclamation, *ib.*—They are arrested and discharged, *ib.*—Complaint against other printers, 514.—Their conduct, *ib.*—Conduct of the minority, *ib.*—The messenger arrested, 515.—Carried before the lord mayor, *ib.*—and holden to bail, 516.—Proceedings in the house of commons, *ib.*—Alderman Oliver and the lord mayor committed to the Tower, 517.—Zeal of the populace, 518.—Proceedings of the common council, 519.—Address of Wilkes in eluding the resentment of parliament, *ib.*—Committee appointed, 520.—Their report, *ib.*—Debates on the Durham-Yard bill, 521.—End of the session, 522.—City petition, 523.—The king's answer, *ib.*—Divisions in the city party, *ib.*—Death of the earl of Halifax, 525.—and consequent changes in administration, *ib.*—Meeting of parliament, *ib.*—Augmentation of naval establishment, *ib.*—Petition for relief from subscription to the articles of religion, 526.—Motion to bring it in rejected, 532.—Church Nullum Tempus, *ib.*—Doctor Nowell's sermon on king Charles's martyrdom, 533.—Debates on expunging the vote of thanks to him, *ib.*—Motion for abrogating the observance of the thirtieth of January, 534.—Efforts of the dissenters, *ib.*—Motion to repeal the test laws, 536.—Bill passes the lower house, 537.—But is rejected by the lords, 538.—Marriage of the king's brothers, *ib.*—The king's message to parliament, *ib.*—Royal marriage bill, 539.—Passes the lords, *ib.*—Protest, *ib.*—Passes the commons, 540.—Close of the session, *ib.*—Strength of administration, *ib.*—Misfortunes in the royal family, *ib.*—Death of the princess Dowager of Wales, 541.—Revolution in Denmark, *ib.*—Fate of the queen of Denmark, 544.

THE HISTORY OF ENGLAND.

GEORGE THE THIRD.

CHAPTER THE FIRST:

1760—1761.

The King's accession.—Retrospect of his education and connections.—Brief account of the principal persons composing the ministry.—First transactions on the death of George II.—The king's address to the council.—The duke of York and lord Bute privy-counsellors.—The king's friendship for lord Bute.—Character of that nobleman.—New system of government planned.—Popularity of the king.—Meeting of Parliament.—The king's speech.—Addresses.—Civil List.—Supplies.—Commissions of the judges made permanent, and their salaries increased.—Speaker Onslow retires with a pension and honours.—Dissolution of Parliament.—The king's desire of peace.—Causes of the popularity of the war.—Arguments against it.—Mr. Pitt zealous in prosecuting the war.—Changes in the ministry.—Lord Bute secretary of state.

GEORGE the Second was succeeded by his grandson, the son of Frederick prince of Wales, and of Augusta princess of Saxe-Gotha, who had recently completed his twenty-second year.

CHAP.
I.

1760.

The king's
accession,
Oct. 25th.

CHAP.

I.

Retrospect
of his edu-
cation and
connec-
tions.

SINCE the death of his father, the heir apparent had resided intirely with the princess dowager, who attended to his education with maternal solicitude. The party which, during the life of prince Frederick, had been considered as devoted to his interest, was, since his death, intirely dissolved. The princess herself did not encourage any opposition to government; and the individuals, whom hope or affection attached to the late prince, had retired from the field of politics, or formed new connections.

YET the education of a prince, who was in time to govern a mighty kingdom, was not regarded with indifference by those whose interests might be affected by the ascendancy of rivals, or who feared that if the princess herself obtained the influence, which from her situation might be naturally expected, new arrangements would be made, unfavourable to their views and prejudices.

UNFORTUNATELY, George II. entertained a constant jealousy and suspicion of the princess, which, long cherished, had grown into dislike, and made those who were desirous of retaining his favour, carefully avoid all apparent intercourse with his daughter-in-law; by which means the young prince was wholly unacquainted with the sentiments and manners of those who formed his grandfather's court. This neglect extended even to the royal family; and the duke of Cumberland and princess Amelia, shewed no marks of attention and respect to the heir apparent and his mother^a.

ENCOURAGED by these circumstances, and actuated by views of ambition, lord Harcourt,

^a Lord Melcombe's Diary, p. 175, 217. et passim.

who had been appointed governor to the young prince, and Dr. Hayter bishop of Norwich, who filled the post of preceptor, not only exerted their influence to detach his affections from all those who had enjoyed the favour of his deceased parent, but also by their example and discourse, imparted sentiments of disrespect towards the princess dowager; for which, at a subsequent period, the prince acknowledged his error with honest contrition, and suitable apologies^b. In consequence of these efforts, divisions arose among those to whom the education of the prince was intrusted.

By their means, a representation was made to the king, that Mr. Stone, sub-governor of the prince, was an improper person to be intrusted with his education: he was stated to be a man of Jacobite principles, and accused of having, more than twenty years before that time, drunk the Pretender's health in public. The matter was referred by the king to the cabinet council; the charge was frivolous, and wholly unsupported; Mr. Stone was heard in his own defence, as were also Mr. Murray the solicitor general, afterwards earl of Mansfield, and Dr. Johnson bishop of Gloucester, who being implicated in the supposed crime, solicited and obtained permission to vindicate their own characters. They all acquitted themselves in a manner perfectly satisfactory, and the lords unanimously represented to the king, that there appeared to them no foundation for any part of the charge^c.

In consequence of this decision, lord Harcourt and the bishop of Norwich declared their

1752^a

^b Lord Melcombe's Diary, p. 29.

^c From private information, and Lord Melcombe's Diary.

CHAP.

I.

1752.

resolution to resign, unless Mr. Stone, Mr. Scott, sub-preceptor to the prince, and Mr. Cresset, secretary to the princess dowager, were dismissed. The allegation against them was, that they cherished Jacobite principles, and instilled arbitrary notions into the prince. The king received this unfounded complaint with due indifference, and accepted the proffered resignations: lord Waldegrave was appointed governor, and the bishop of Peterborough^d preceptor.

A most unjustifiable attempt was made to interest the public in this dispute: an anonymous letter to a popular preacher^e, advised him to notice in the pulpit the prince's dangerous education; and another was transmitted to general Hawley, purporting to be a representation or remonstrance from the Whig nobility and gentry, containing many injurious reflections on the manner in which the prince was instructed, and on the principles of his attendants^f. The apparent motive for sending this letter was, that the general should give it to the duke of Cumberland, and that he would lay it before the king, and make such impressions as were favourable to the views of the writers.

22d March

1753.

THE accusation against the bishop of Gloucester and Messrs. Murray and Stone, was subsequently discussed in the house of lords, on a motion for an address to the king to submit the whole proceeding before the cabinet to the house. The business was fully and freely in-

^d Dr. John Thomas, afterwards bishop of Salisbury, and Winchester.

^e Dr. Newton, of St. George's Hanover Square. See Lord Melcombe's Diary, p. 199.

^f Lord Melcombe's Diary, p. 189 to 201; and see the memorial in the same work, p. 487.

vestigated,

vestigated, as the king had granted dispensations to the members of the cabinet from the obligation of their oath as privy-counsellors. The debate was long and heavy, but the house perfectly coinciding in opinion with the council, only three peers and one bishop divided with the duke of Bedford, who made the motion^z.

THE public, whom this discussion was principally intended to alarm, easily discerned that the chief object was to remove the Pelham ministry, and to separate the prince from the person and care of his parent; but all good men were satisfied, that he should continue under her direction, and that she should preserve that influence over him, which nature and policy equally declared to be justly her due.

FROM the satisfaction with which the prince received the instructions of his new preceptor, the bishop of Peterborough, the most sanguine hopes were entertained that the royal pupil would derive much advantage from his tuition^h. To impart a knowledge of books was not the difficulty, in that particular no deficiency was complained of; but it was necessary to imbue the mind of the future sovereign with just notions of the British constitution and jurisprudence, and enable him to estimate correctly the national wealth and resources, and the means of preserving and increasing themⁱ. It was a great object of the prince's care

^z Lord Melcombe's Diary, p. 229. Holliday's Life of Lord Mansfield, p. 98, 434.

^h Lord Melcombe's Diary, p. 211.

ⁱ It was the intention of the bishop of Norwich to have procured, for the instruction of his royal pupil, such a treatise as would convey clear and comprehensive information on the subject of national com-

CHAP.

I.

care to educate her son in the principles and constant practice of religion; and with this view, she invited the learned and pious Dr. Stephen Hales into her family, and appointed him clerk of the closet. Her good intentions were greatly favoured by the disposition of the prince, who was affectionate, gentle, and exempt from every appearance of vicious inclination. The dread which the princess constantly entertained, that his morals would be contaminated by the example of the young nobility, prevented his mixing with them in familiar intercourse, and his acquaintance was almost confined to the social circle of Leicester house; which was select, cheerful, and unrestrained^k.

ON attaining his majority, the prince took his seat in the house of peers; but there was no debate in that session.

Characters
of the prin-
cipal mi-
nisters.

THE king found, on his accession, an able administration, strong from the combination of parties, and popular from uninterrupted successes.

The duke
of New-
castle.

THE duke of Newcastle was the ostensible head of this ministry. A veteran in the service of government, he was considered the leader of the Whig party, and during a period of forty-three years, filled a high situation at court and in the cabinet. His princely fortune and extensive influence rendered him a powerful coadjutor, and his uniform zeal in promoting the succession of the house of Brunswick, endeared him to the great majority of the Whigs, as the champion of that cause. In his temper he was

merce; and Dr. Tucker, the learned and celebrated dean of Gloucester, was requested to prepare such a work: he engaged in it, but, for very judicious reasons, declined the accomplishment of his task. (See preface to Tucker's Four Tracts, p. 1X.)

^k Lord Melcombe's Diary, p. 170, 188, 255, 289, 220.

fretful and capricious, and jealous of those who rivalled his political ascendancy. This jealousy, which formed the leading feature of his character, was restrained by the superior talents and authority of Sir Robert Walpole, but on his retreat it became uncontrouled, and engendered perpetual altercations with succeeding ministers, not excepting even his own brother, Mr. Pelham. Some peculiarities in his manner, and a want of method in the transaction of business, exposed him to ridicule. He was trifling and embarrassed in conversation, always eager and in a hurry, unbounded in adulation, and profuse in promises. Yet the duke of Newcastle possessed much greater abilities than are usually attributed to him: he had a quick comprehension, was a useful and frequent debater, spoke with great animation, wrote with uncommon facility, and was perfect master of foreign affairs. He filled the office of secretary of state from the year 1723, to the death of Mr. Pelham in 1754, when he became first lord of the treasury. Placed at the head of affairs, he was distracted with the multiplicity of business: weakness of councils, fluctuation of opinions, and deficiency of spirit, marked his administration. In 1744, he strengthened himself by a coalition with the Tories and the Whigs in opposition to government, and formed the administration which was ludicrously termed the *broad bottom*. The discordant parts of this motley combination, were principally cemented by the conciliating manners of Mr. Pelham; but on his death in 1754, dissensions broke out, and after many ineffectual attempts to form a permanent administration, (during which the duke made a temporary resignation in November 1756, and continued out of office till July

CHAP. 1757) that cabinet was arranged which continued, without essential alteration, till the period at which this history commences. The duke of Newcastle still retained the controul of domestic affairs, and the patronage of the church; but the conduct of the war, and the management of the house of commons, were committed to Mr. Pitt.

Mr. Pitt. Mr. PITT commenced his political career as a Whig, in opposition to Sir Robert Walpole, and soon distinguished himself by the splendour and energy of his eloquence. He was an adherent of lord Cobham; attached himself to Frederick prince of Wales, and in 1737 was appointed groom of his bed-chamber. He continued in opposition till the formation of the broad bottom ministry. In 1746, he was nominated vice-treasurer of Ireland, and in the same year paymaster of the forces; but the antipathy of the king in consequence of his acrimony in censuring German measures, overcame the repeated efforts of the duke of Newcastle to introduce him into the cabinet. At length, the irresistible superiority of his talents bore down every obstacle: in 1757 the king, sensible of the weakness of the ministry, and alarmed at the ill success of the war, reluctantly consented to appoint him secretary of state, an office which, during the temporary retreat of the duke of Newcastle, he had held for about four months¹; on his recal to office, Mr. Pitt, according to the current expression of the day, "took the cabinet by storm." From this moment Great Britain assumed a formidable position. Mr. Pitt relinquished his opposition to continental connections: constant success attended his measures: his commanding eloquence, the wisdom

¹ Dec. 1756, to April 1757.

of his plans, the vigour of his exertions, together with the strength of his administration, silenced parliamentary opposition: the people viewed him with an admiration bordering on idolatry; and George II. highly gratified at the prosecution of his favourite measures, and the unprecedented tranquillity of the kingdom, yielded, with implicit confidence, the reins of government to his direction.

CHAP.

I.

Mr. PITT was supported in the cabinet by his brother-in-law, lord Temple, who succeeded to the influence and estate of his uncle, lord Cobham. He was distinguished for his parliamentary abilities, and much respected and beloved by his adherents.

Lord
Temple.

LORD GRANVILLE, better known under the title of lord Carteret, was president of the council. At an early period of his life he was secretary of state, and lord lieutenant of Ireland. Being dismissed in the reign of George I. he joined the opposition against Sir Robert Walpole; and, on his resignation, was restored to the office of secretary of state, became the favourite of the king, and took the lead in the conduct of foreign affairs. After an ineffectual struggle with Newcastle for pre-eminence, he resigned in February 1745. In 1751 he was appointed president of the council, and retained that office till his death. He was a man of great talents and literary acquirements; indefatigable in business, of commanding eloquence, and conversant in foreign affairs. To those who considered his eminent capacity, and arrogant disposition, it was matter of surprise that he submitted to the ascendancy of the Pelhams, and accepted a situation which, though superior in dignity, was subordinate in importance.

Lord
Granville.

Mr.

CHAP.

I.

Mr. Fox.

Mr. Fox, paymaster of the forces, was a friend and active supporter of Sir Robert Walpole; and from his first entrance into parliament, had almost uniformly promoted the measures of government. Under Mr. Pelham, he acted in the capacity of lord of the treasury and secretary at war, and was content to fill a subordinate department in the house of commons; but, on his death, thought himself intitled to manage the house, and contended with Mr. Pitt for pre-eminence. After a long series of cabals, he gained a momentary ascendancy, and on the fourteenth of November 1755 was appointed secretary of state; but in the month of November 1756 he resigned, and on the fifth of July 1757, became paymaster of the forces. Mr. Fox was of an acute and penetrating genius, and active in business. His speeches were replete with information, method, and sense, but he wanted that nervous and irresistible eloquence which characterized Mr. Pitt. His manners were conciliatory, and few men had more personal friends^m.

SEVERAL of the remaining members of administration, were highly respectable for talents and integrity; amongst whom must be noticed, lord keeper, afterwards lord chancellor Northington, the duke of Devonshire lord chamberlain, Mr. Legge chancellor of the exchequer, lord Anson first lord of the admiralty, and lord Holderness secretary of state.

1760.
First transactions on
the death of
George II.

THOUGH the advanced age of George II. rendered his decease not improbable, yet that event was intirely unexpected. He was afflicted with no disease, testified no uneasiness of mind or de-

^m In delineating these characters, much information has been derived from the Memoirs of Sir Robert Walpole, and from the personal communications of the author of that excellent work.

pression of spirits, but shewed his usual cheerfulness and alacrity: and from the great success which had attended the late measures, the blaze of constant victory, and the popularity of the ministry, perhaps there never was a monarch whose death was less desired.

CHAP.

I.

1760.

THE event occasioned much consternation at court, and the intelligence was immediately carried to the secretaries of state. The great officers of the crown were convened, and Mr. Pitt repaired to Kew for the purpose of announcing to the new sovereign his accession. The king having received some intimation of the event before Mr. Pitt's arrival, was prepared for the occasion, and immediately proceeded to London.

MEANWHILE a council, assembled at Saville house, was directed to attend at Carleton house, the residence of the princess dowager, where they met the king, and transacted business of form. The young sovereign appeared agitated and embarrassed by the novelty of his situation, and want of acquaintance with the persons by whom he was surrounded; yet his conduct gave general satisfaction, and afforded the preface of a prudent and happy reign.

HIS address to the council, which was published by their request, is a specimen of dignified modesty, and unassuming firmness: "The loss that I and the nation have sustained by the death of the king, my grandfather, would have been severely felt at any time; but coming at so critical a juncture, and so unexpected, it is by many circumstances augmented, and the weight now falling on me much increased: I feel my own insufficiency to support it as I wish: but animated by the tenderest

The king's
address to
the council.

CHAP.

I.

1760.

“tenderest affection for my native country,
 “and depending upon the advice, experience,
 “and abilities of your lordships, on the support
 “of every honest man, I enter with cheerfulness
 “into this arduous situation, and shall
 “make it the business of my life to promote,
 “in every thing, the glory and happiness of
 “these kingdoms, to preserve and strengthen
 “the constitution in both church and state:
 “and, as I mount the throne in the midst of
 “an expensive, but just and necessary war, I
 “shall endeavour to prosecute it in the manner
 “the most likely to bring on an honourable
 “and lasting peace, in concert with my
 “allies.”

26th Oct.
 King proclaimed.

27th :
 The duke
 of York and
 lord Bute
 privy-coun-
 sellors.

THE king having been proclaimed in the usual form on the day after his accession, held a council at St. James's on the ensuing day, when his brother the duke of York, and the earl of Bute, were sworn in as membersⁿ. The liturgy was also directed to be altered in those parts where prayers are said for the royal family. These circumstances in themselves would not claim any notice, but some offence was taken at the time, and it was afterwards a source of frequent animadversion, that the duke of Cumberland and the princess Amelia, who were before particularly mentioned, were now only included in the general term, *and all the royal family*.

ⁿ The early introduction of lord Bute to the privy-council, has been descanted on by many writers as a singular circumstance, but it is not in the least extraordinary : it was customary for the king to continue his household servants in the same capacities which they held under him while prince of Wales ; lord Bute being groom of the stole to the prince, was therefore continued by the king, and the holder of that office is always constituted a privy-counsellor.

ALTHOUGH

ALTHOUGH this alteration was not made in consequence of the dislike which the princess dowager entertained against the duke and princess, but was merely a point of etiquette, the popularity of the duke of Cumberland became the medium through which much abuse, vented against the king and the princess dowager, was afterwards rendered agreeable to the public.*

CHAP
I.
1760.

THE king's friendship for the earl of Bute, led to extensive and permanent consequences. John earl of Bute, was son of James second earl of Bute, by Ann Campbell, daughter of Archibald first duke of Argyle. He received his education at Eton; and at an early period of his life, was introduced to the household of Frederick prince of Wales, to whom he was lord of the bed-chamber. On the death of the prince he retired to the country, and took no share in political transactions, though he was often consulted by the princess. On the establishment of the young prince's household, he was appointed groom of the stole, in which place he was continued after his accession. He had not occupied any public office; was unacquainted with the business and intrigues of state; and though he possessed an active mind, replete with elegant and ab-

Character
of lord Bute.

* The words in the prayer referring to the duke of Cumberland and princess Amelia, were "*The Duke and Princesses*;" but the rank of the royal family (except the prince of Wales, who always stands next the king, as heir apparent) is regulated by their proximity to the sovereign on the throne; thus the duke of Cumberland and princess Amelia, as children of George II. took precedence of the youngest children of prince Frederick: on the accession of George III. their positions were altered; the brother of the sovereign then preceded his uncle in rank: consequently, it would have been absurd to retain in the prayer the words, "*the Duke and Princesses*," without first inserting some words equally descriptive of the king's brothers and sisters, which would have been not only unusual, but inconvenient and ridiculous, on account of its length.

struse

CHAP.

I.

1760.

struse learning, and was well acquainted with the theory of the British constitution,^p he was not competent to the task of instructing a young prince in the practical science of governing a kingdom, where the component parts of the legislature are so nicely balanced, and their respective powers and operations so strictly guarded. It could not afford ground of surprise that the king, young and unacquainted with the persons of those who formed a successful and popular administration, should place among his confidential servants, a nobleman whom he had long esteemed, and who possessed the good opinion of his parent in an eminent degree: it could not be a subject of animadversion, that such a person should obtain an ample portion of the king's regard; nor would this circumstance have affected the course of political affairs, had not a new system followed his introduction into the cabinet.

New system
of Govern-
ment
planned.

THE two last monarchs being foreigners, and opposed by a native prince who had numerous adherents, as well among the people as in some of the most illustrious houses, confided a large portion of their power to a few distinguished families, in order to secure possession of the crown. These families, strengthened by union, and exclusive influence, became not only independent of, but, in many respects, superior to the throne. Swayed by a predilection for their continental dominions, the two first sovereigns of the house of Hanover, incurred severe animadversions from the members of opposition. The necessity of frequent justifica-

^p The king derived from the conversation of lord Bute, his principal knowledge of the constitution; and lord Bute obtained from Blackstone the most interesting parts of his commentaries on the laws of England while in MS. and laid them before the prince for his instruction.

tions, rendered them still more dependent on the leaders of the ministerial party, and reduced them almost to a state of pupillage.

CHAP.

I.

1760.

BUT the new king being exempt from foreign partialities, ascending the throne at a period when the claims of the exiled family were fallen into contempt, was enabled to emancipate himself from the restraint to which his ancestors had submitted. The earl of Bute formed the plan of breaking the phalanx which constituted and supported the ministry, and of securing the independence of the crown, by a moderate exertion of the constitutional prerogative. This plan in itself was well conceived, and necessary; but the earl of Bute was not a proper person to carry it into effect. He was not connected, either by blood or by familiar intercourse, with the leading families in England: he was not versed in the arts of popularity, or used to the struggles of parliamentary opposition; and his manners were cold, reserved, and unconciliating. Prejudices were easily excited against him as a native of Scotland, and he could only oppose a popular and triumphant administration, and a long established system, by such friends as hope or interest might supply, and by the personal esteem of the king, which was rendered less valuable from the odium attached to the name of favourite.

THE conflicts of party did not immediately commence. The king at his accession was highly popular: his proclamations for repressing vice and immorality, gave general satisfaction; loyal and affectionate addresses poured in from every part of the realm, and all regret for the late king seemed to be buried with him.

Popularity
of the king.

THE

CHAP.

I.

1760.
Meeting of
Parliament.

18th Nov.

THE parliament was to close in one more session; but the season being inconvenient for a dissolution, it was resolved to await the period of its natural extinction. After a short prorogation,⁹ to give time for previous arrangements, the king opened the session. It was remarked, that there never was, in the memory of the oldest persons, such a numerous concourse, of all ranks, on any similar occasion, nor such unanimous testimonies of applause. The public prepossession, increased by the king's affable and gracious demeanour, was carried to the greatest height by the patriotic sentiments contained in the speech.

The king's
Speech.

HE began by expressing his regret at the death of his grandfather, at so critical and difficult a conjuncture, as he was the great support of that system, by which alone the liberties of Europe, and the weight and influence of these kingdoms, could be preserved, and gave life to the measures conducive to those important ends.

AFTER declaring his reliance on the affection of his people, and the goodness of Providence, his majesty used these words: "BORN
"AND EDUCATED IN THIS COUNTRY, I GLO-
"RY IN THE NAME OF BRITON; *and the*
"*peculiar happiness of my life will ever consist*
"*in promoting the welfare of a people, whose*
"*loyalty and warm affection to me I consider as*
"*the greatest and most permanent security of*
"*my throne;*" and I doubt not but their
"steadiness

⁹ From the 8th to the 18th of November.

¹ After the draft of this speech had been settled by the cabinet, an addition was made to it in his majesty's own hand, which became the subject of some animadversion, and was compared by many of the most zealous of the Whig party, to the concluding part of the first speech of Queen Anne, after her accession. (See Journals, and Smollett's

"steadiness in those principles, will equal the
 "firmness of my invariable resolution to adhere
 "to, and strengthen this excellent constitution,
 "in church and state; and to maintain the
 "toleration inviolable. The civil and religi-
 "ous rights of my loving subjects are equally
 "dear to me, with the most valuable preroga-
 "tives of my crown; and, as the surest found-
 "ation of the whole, and the best means to
 "draw down the divine favour on my reign,
 "it is my fixed purpose to countenance and
 "encourage the practice of true religion and
 "virtue."

IN the progress of his speech, the king descanted, with becoming satisfaction, on the prosperous efforts of the British force in Canada and India, and on the successful exertions of the allied arms in Germany; he mentioned, in strong terms of approbation, the benefits which the national commerce had derived from the judicious disposition of the navy, and paid a just and honourable tribute of applause to the valour and intrepidity of the officers and forces, both at sea and land.

HAVING thus completely reviewed the state of the nation, the king said, "In this condition I have found things at my accession to
 "the throne of my ancestors; happy in viewing
 "the prosperous part of it; happier still should
 "I have been, had I found my kingdoms,
 "whose true interest I have entirely at heart,
 "in full peace: but, since the ambitious, in-
 "jurious encroachments, and dangerous de-

Smollett's continuation of *Hume*, vol. 1. p. 447.) But at this distance of time, when the question may be more impartially considered, and distinctly from other circumstances, there does not appear any reason for imputing to the declaration of the king, that "born and educated in this country he gloried in the name of Briton," an intention of reflecting on the memory of his grandfather.

CHAP.

I.

1750.

“ signs of my enemies, rendered the war both
 “ just and necessary, and the generous over-
 “ ture made last winter, towards a congress for
 “ a pacification, has not yet produced a suit-
 “ able return; I am determined, with your
 “ cheerful and powerful assistance, to prosecute
 “ this war with vigour, in order to that desir-
 “ able object, a safe and honourable peace.
 “ For this purpose, it is absolutely incumbent
 “ upon us to be early prepared; and I rely up-
 “ on your zeal and hearty concurrence to sup-
 “ port the king of Prussia, and the rest of my
 “ allies, and to make ample provision for carry-
 “ ing on the war, as the only means to bring
 “ our enemies to equitable terms of accom-
 “ modation.”

THEN addressing himself separately to the house of commons, the king, after lamenting the greatness of the national burthens, expressed his reliance on them to provide adequate supplies, and to make a proper provision for supporting the civil government with honour and dignity.

IN conclusion, his majesty reminded both houses, that the eyes of all Europe were upon them, and invoked a due regard to their own reputation, and the protection of the Protestant interest. He recommended vigour, unanimity, and dispatch, as the best means of frustrating the ambitious and destructive views of his enemies, and added, “ In this expectation I am
 “ the more encouraged by a pleasing circum-
 “ stance, which I look upon as one of the
 “ most auspicious omens of my reign. That
 “ happy extinction of divisions, and that
 “ union and good harmony, which continue
 “ to prevail among my subjects, afford me
 “ the most agreeable prospect. The natural
 “ disposition

“disposition and wish of my heart, are to cement and promote them; and I promise myself, that nothing will arise, on your part, to interrupt or disturb a situation so essential to the true and lasting felicity of this great people.”

CHAP.

I.
1760.

THE sentiments contained in this speech, were no less acceptable to the people at large, than to the members of the two houses. The king's youth, dignity of deportment, and propriety of enunciation, gave the highest satisfaction, and those who had been accustomed to the speeches from the throne in the former reign, were relieved and gratified by hearing the king's speech delivered in all the purity of English pronunciation.

LOYAL addresses were unanimously presented by both houses, and the commons exceeded the ordinary manifestations of attachment by voting a second address, thanking his majesty for the gracious manner in which he received the first.

Addresses.

THE principal business transacted in this session related to the civil list, and to the supplies.*

THE civil list was fixed at eight hundred thousand pounds, the king having signified

Civil List,
25th Nov.

* The following expression in the address of the lords, was peculiarly elegant and happy: “We are penetrated with the condescending and endearing manner, in which your majesty has expressed your satisfaction in having received your birth and education among us. What a lustre does it cast upon the name of Briton, when you, sire, are pleased to esteem it among your glories.”

† No act of grace was brought into the house, but a bill was passed for the relief of insolvent debtors, in which was a permanent clause, compelling them to subscribe, on the requisition of any creditor, a schedule of their effects, and upon doing so, and giving them up, they were to be discharged. This provision was dictated by humanity, but its regulations were so much abused by collusion, that it was shortly afterwards repealed.

CHAP.

I.

Supplies.

his consent, that such disposition might be made of the hereditary revenues of the crown, as should best conduce to the utility and satisfaction of the public.

THE supplies amounted to nineteen millions six hundred and sixteen thousand one hundred and nineteen pounds, to pay the interest of which several taxes were continued, and a new duty of three shillings per barrel imposed on beer and ale.

1761.

3d March.
Judges
made per-
manent.

UPON granting new commissions to the judges, the tenure of their office fell under consideration. The king, anxious to insure their independency and uprightness, recommended, in a speech from the throne, that provision should be made for securing the judges in the enjoyment of their offices, during their good behaviour, notwithstanding the demise of the crown; and requested, that he might be enabled to grant and establish upon the judges such salaries as he should think proper, so as to be absolutely secured to them during the continuance of their commissions. This truly patriotic and wise declaration, was received with merited attention: and an act passed fully providing for the important objects of his majesty's recommendation.^a

And their
salaries
augmented.

18th Mar.

Speaker
Onslow
retires,

WHEN the end of the session approached, Mr. Onslow, who for more than thirty years had filled the situation of speaker, with unshaken integrity, signified his determination to retire: a vote of thanks was unanimously carried, and an address presented, requesting the king to confer on him some signal mark of favour. A pension of three thousand pounds was accordingly settled on Mr. Onslow, with

with a pen-
sion and
honours,

^a Blackstone's Commentaries, vol. x. p. 262.

benefit of survivorship to his son. This testimony of regard to experienced merits and long services, was extremely agreeable to the public; and the common council of London, complimented the late speaker, by presenting the freedom of the city in a gold box.

CHAP.
I.
1761.
5th May.

THE public business having been performed with the utmost unanimity, the king closed the session, and the parliament was immediately dissolved. *

19th Mar.
21st.

ALTHOUGH in the declaration to the council at his accession, and in his subsequent speeches at the meeting and prorogation of parliament, the king expressed a determination to prosecute the war, it was his first and most earnest wish to restore to his subjects the blessings of peace. † The paragraph in the declaration to council referring to the war, was not originally expressed in such a forcible manner; but an alteration was made by Mr. Pitt, which implied a decided approbation of the German measures, instead of mentioning them, as the king intended, in terms of coldness. ‡ The king was thus induced to give up his own opinion, and renewed a subsidiary treaty with the king of Prussia, similar to those concluded by George II. §

The king's
desire of
peace.

The energy of Mr. Pitt, the celebrity of the king of Prussia, the success of prince Ferdinand, the increasing glories of the British arms, and the depression of the French power, contributed to render the war in the highest

Causes of
the popularity of the
war.

* No memorials are preserved of any debates in this session; the account of the proceedings is derived from the history and proceedings of parliament published by Debrett, and from the Journals.

† The king's speech to parliament, Nov. 1763.

‡ From a memorandum by lord Melcombe.

§ This treaty was signed 12th December, 1760.

CHAP.

I.

1761.

Arguments
against it.

degree popular; yet many politicians apprehended the most fatal consequences from its continuance, even should success still attend the allied arms

THEY blamed the project of carrying on a German, instead of a maritime, commercial, and colonial war, which was best adapted to the situation of this country, and in which we were always superior to our enemies. France, they said, could prosecute the contest in Germany for ten years, without increasing her debt five millions sterling, while we could not carry it on for the same period, without increasing ours upwards of fifty millions; and all the advantages which might be gained over France, would not compensate for such an enormous expenditure. They treated the popular enthusiasm for a German war as a dangerous delusion. The merchants, who greatly contributed to raise it, particularly in London, were interested; but the landholders suffered. The glory and advantage of sweeping the sea, cost the land four or five millions a year. They suggested, that when the merchants should lose the advantage of contracts and furnishings, they would repent of their alacrity, and wish they had used their interest in inducing government to desist, when the national honour was vindicated, and the national possessions secured.^b

THE press too uttered, without reserve, the same sentiments. The absurdity of the manner of warfare, which this country had adopted, was exposed in the most striking colours. It was asserted, that France, by making Germany the seat of hostility, could ruin this coun-

^b These sentiments are amply detailed in Lord Melcombe's Correspondence.

try, without materially injuring herself. The quarrels of any two states of Europe, for whatever cause, were always favourable to the interested and ambitious views of France; who would espouse the weaker side with a partial exertion of strength, increasing her efforts in proportion as other countries favoured the cause which she opposed. The military force of France was alleged to be superior to that of any other power in Europe; and by her address in confining the war to Germany, England, who was her only opponent, was reduced to fight, at an immense expence, in a country where victory itself, while it weakened and dispirited the friendly natives, could never distress the French: they only retired, after defeat, to their own frontier, whither we durst not follow them, and always returned to the next campaign with a force superior to all the efforts of British gold, and German exertion. Nor were our efforts really beneficial to the Protestant interest, which, in fact, was not endangered. The defence of Hanover was alleged to be a futile pretence for carrying on the war in Germany: the French could not annex it to their dominions, without taking possession of several other electorates, which the constitution of Europe would never permit; and even if they entertained such a scheme, the way for England to oppose it was not by sending armies to Germany, but by turning to the utmost advantage her decided naval superiority; thus she might obtain possession of the French West India islands, and hold them as a deposit or guaranty for the security of Hanover.

THE subsidy or tribute to the king of Prussia, was represented in a most injurious light: he received six hundred and fifty thousand pounds

CHAP.

I.
1701.

a year to fight his own battles, and England was bound to defend him without the slightest stipulation on his part. This was contrasted with the important and valuable assistance, which king William had prudently secured against France, from the most considerable powers of Europe, for a less sum than was now paid to the king of Prussia alone.^c

The king's
patriotic
distinctness.

SUCH were the opinions professed in private, and patronized in public by the earl of Bute, and those who were intimately connected with him. The king had, from his infancy, been accustomed to hear the connection of this country with Germany condemned and reviled, by men who were considered the most enlightened and truly patriotic. He had so little attachment for his German dominions, that no doubt was entertained of his being induced to abandon the defence of them, and employ the money which had hitherto been uselessly lavished on that object, in distressing the French in other quarters, for the purpose of compelling them to make peace. A proposal so flattering to the prejudices of Englishmen, it was supposed would confer extensive and permanent popularity on those who should have the virtue to recommend, and the interest to enforce it; and some jealousy was entertained, lest the ministry, who had hitherto conducted the war, should insure their continuance of power and popularity after a peace, by first adopting the plan.^d

^c Considerations on the present German war, by I. Mauduit, Esq. This production was generally read, and the author was afterwards rewarded with a pension. History of the late Minority, p. 13.

^d Lord Melcombe's Diary, p. 422. and the same sentiments are more fully expressed and enforced in a paper of lord Melcombe's dated 16th January, 1761, and indorsed, "Paper read to lord Bute."

Mr. PITT,

Mr. PITT, however, was not disposed to become a candidate for increased popularity, (if an increase of his popularity was possible,) on such terms. He had concerted the war on a system suggested by the king of Prussia, improved by himself, and fully sanctioned by George II. who was supposed to be a competent judge of military matters. The success of the allied arms had hitherto silenced opposition, and excited universal admiration; and France was so enfeebled and humbled, that her further efforts were not considered objects of dread. The people, amused by the splendid exhibitions attendant on victory, and flattered by the merited encomiums bestowed on the valour and liberality of the country, disregarded the load of debt created by the war, and despised the accumulation of taxes. The capital, which by its exertions and clamours, generally gives a political bias to the rest of the kingdom, was implicitly devoted to the minister, and he was so far from entertaining a notion of abandoning the continent, that the friends of that project pronounced him madder than ever.*

From the king's accession, the earl of Bute became an object of jealousy, and his conduct was scrutinised with proportionate vigilance.† As he was expected soon to obtain a place in the ministry, many efforts were made to inflame

CHAP.

I.
1761.

Mr. Pitt
zealous in
prosecuting
the war.

Tumultu-
ous dispo-
sition of the
populace.

* Lord Melcombe's Diary, p. 427.

† A subject of successful investive and permanent misrepresentation, made in the gift of the rangerhip of Richmond Park to Lord Bute. This office was held by the princess Amelia; and it was boldly asserted, that the gratification of the favours, and the mortification of the pincocks, were equal motives for the change: but, in fact, the princess held the appointment *for her life*, and therefore could not be deprived of it but by her own consent. The princess at first purposed to make Richmond her principal residence, and the great stone lodge was directed to be prepared and enlarged for

CHAP.

I.

1761.

2d Feb.

Lord Bute
secretary
of state.
25th Mar.

Changes in
the mini-
stry.

inflame the national prejudice against the Scots, and the people were taught to believe that every unpopular act was the result of his advice. The king had not completed the fourth month of his reign, when he experienced the ungovernable and licentious spirit of the mob, by a riot while he was in the play-house. They imputed the tax on beer to lord Bute, and adopted this method of expressing disapprobation.^s

NOTWITHSTANDING these efforts, the king appointed lord Bute secretary of state, on the resignation of lord Holdernesse,^h dismissed Mr. Legge from the chancellorship of the exchequer, and gave his office to lord Barrington. There were also several other removals and advancements of less importance. The duke of Richmond, disgusted with a military promotion which he considered injurious to his brother, lord George Lenox, resigned the post of lord of the bed-chamber.ⁱ

WHEN

for that purpose; but, during the progress of the work, a decision at law was made contrary to her wishes, relative to right of stopping the foot way; she then became disgusted, suspended the execution of her orders, and, on receiving an ample equivalent, cheerfully resigned an appointment which no longer gratified her imagination, except as an object of emolument.

^s The inhabitants of Hexham (9th March) evinced a more formidable disposition to tumult; on the balloting for militia-men, they assembled in such numbers, and committed such excesses, that it became necessary to employ the military; and a special commission having been afterwards issued, several of the rioters were tried, and one executed.

^h Lord Melcombe's Diary, p. 416. The retreat of lord Holdernesse appears to have been a preconcerted manœuvre, arranged with more art and duplicity than becomes an exalted character, to make room for lord Bute. Lord Holdernesse was amply gratified by a pension and reversionary grant of the wardenship of the cinque ports.

ⁱ It is asserted in lord Melcombe's Diary, p. 417, that the duke of Richmond, after speaking disrespectfully of lord Bute and the Scotch nation, had solicited the bed-chamber. The duke has denied this.

WHEN lord Bute thus assumed a responsible situation in the cabinet, he was deluded, by interested individuals, into a belief, that he possessed a considerable portion of the public esteem, and that the popularity of Mr. Pitt was declining. They strongly represented to him, that he was bound by every motive, both of a public and private nature, to take an active part in the government,* and he yielded to suggestions which accorded with his views of weakening the party, which in his judgment maintained a dangerous ascendancy.

THE prorogation and dissolution of parliament were delayed, to afford time for lord Bute to make the arrangements necessary to strengthen his interest: but the influence he expected to derive from the king's confidence, was ingrossed by others, who had taken their measures unknown even to the king himself. He was early apprized of this, and cautioned against it, yet he took no measures to counteract those ministers, who were resolved to secure parliamentary adherents by means of government interest, but intirely independent of the crown.¹

these facts in a letter printed in the same work (p. 500). The transaction, in whatever light it is viewed, reflects no disgrace either on the duke or lord Bute. If we refuse lord Bute credit for magnanimity in favouring the duke's wishes, after he had spoken dispectfully of him and his country, it appears at least that he did not oppose them, though his grace had declared his unwillingness to connect himself with any ministry. The duke's resignation, in compliment to the feelings of his brother, was spirited and proper.

* Lord Melcombe's Diary, p. 416, and his letters to lord Bute, *passim*.

¹ Lord Melcombe's Diary, p. 422.—In a letter to lord Bute, dated the 26th November, 1760, lord Melcombe, after expressing his zeal for the king's service, and anxiety to see him intirely independent, says, "It is not my wish that his majesty should interpose, directly or indirectly, where the interest is of any private gentlemen,

" as

CHAP.

I.



“ as such: but during the two last reigns, a set of undertakers have
“ farmed the power of the crown at a price certain; and under co-
“ lour of making themselves responsible for the whole, have taken
“ the sole direction of the royal interest and influence into their
“ own hands, and applied it to their own creatures, without con-
“ sulting the crown, or leaving any room for the royal nomination
“ or direction. This should be prevented before any pretence of pro-
“ mise can be made,” &c.

CHAPTER THE SECOND:

1761.

State of the belligerent powers.—France.—Poland.—Russia.—Austria.—Congress proposed.—Progress of the campaign.—Capture of Schweidnitz by the Austrians.—Battle of Fillinghausen.—Capture of Belleisle—and of Dominico.—Reduction of the Cherokees.—War in India.—Capture of Miih.—Invasion of Bengal by the Shah Zaddah.—His defeat.—Exploits of d'Estaing.—Tranquillity of Great Britain.—The king's marriage.—Coronation.—Negotiations for peace with France.—Terms proposed by the French.—They introduce the discussion of Spanish affairs.—Spirited conduct of Mr. Pitt.—Answer to the French propositions.—Family compact signed.—Mr. Pitt's instructions to lord Bristol, ambassador at Madrid.—Lord Bristol's explanations with the Spanish secretary of state.—Mr. Pitt proposes to declare war against Spain.—He and lord Temple determine to resign.—Observations.—Mr. Pitt's resignation.—Gracious behaviour of the king.—Mr. Pitt receives a pension.—Lord Bute considered at the head of the administration.—His sentiments on Mr. Pitt's resignation.—Meeting of Parliament.—The queen's dowry settled.—Recess.

IF peace was desirable to the English nation, it was still more necessary to the other belligerent powers, except the empress queen. France, in particular, felt the miseries of unsuccessful warfare, and was fallen from its alarming power and greatness, into the lowest state

CHAP.
II.
1761.
State of
France.

CHAP. state of distress and impotence. Its military
 II. operations had been unfortunate in every quar-
 1761. ter of the globe; and the merchants and plan-
 ters had, for more than two years, ceased to derive
 any advantage from the few colonial possessions
 which yet remained. It was without trade,
 and without credit; stopping payments, re-
 turning bills protested, and in every respect a
 bankrupt nation.^a To such a degree of dis-
 tress were the people reduced, that the king,
 the princes of the blood, the nobility and
 clergy, were under the necessity of sending
 their plate to the mint, to furnish specie for
 immediate use. The alliance with Maria The-
 resa had ceased to be popular; and the nation,
 feeling the pressure of the war, loudly com-
 plained of a system, which involved them in
 misery, merely to benefit their ancient heredi-
 tary enemy, the house of Austria.

EARLY in this year, the court of Versailles
 declared to their allies, that France, having for
 four years, in conjunction with other powers,
 prosecuted the war in hopes of ruining the
 king of Prussia, but without success, was now
 unable to sustain for a longer period, the enor-
 mous expences of the contest. They repre-
 sented, that a continuance of the war would
 complete the devastation of Germany; and in
 conclusion, advised the other powers to re-
 nounce their views of aggrandizement, and
 concur in the re-establishment of peace.

Sweden.

THE same declaration was made, in terms
 still stronger, at Stockholm, where the French
 faction in the senate had been vigorously at-
 tacked by the court party.

Poland.

THE king of Poland, tired of a destructive
 war, listened with satisfaction to terms of peace,

^a Letter to Two Great Men.

and

and hoped by negotiation to obtain some indemnity for his losses. CHAP.
II.

ELIZABETH empress of Russia, whom pride, and the arguments of her counsellors, alone induced to continue hostilities, was not averse to a pacification, as it would leave her to the enjoyment of that repose, which now constituted her greatest pleasure. Russia.

THE empress queen alone appeared desirous of prolonging hostilities, by which the expected to destroy her greatest enemy; yet, in compliance with the wishes of France, she proposed a general congress, to be holden at Augsbourg. Austria.
Congress
proposed;
25th Mar.

CHOISEUL conveyed the proposition to the British court, through the medium of prince Gallitzin, the Russian minister. The English monarch, and the king of Prussia, acceded without hesitation. France at the same time proposed to Great Britain, that ministers should be sent to their respective courts, for the purpose of negotiating a separate peace, to which, as the king of Prussia could offer no objection, the British ministry agreed.

As it was the interest of France to obtain time for recruiting her armies, and refitting her fleets, this proposal was accompanied with another for an immediate cessation of arms: but England having already incurred the expence of a new campaign, and made immense maritime preparations, was not duped by this insidious offer.

FRANCE entertained great hopes of deriving advantage from the negotiations at Augsbourg; but the meeting was prevented by a punctilious objection: the emperor, it was said, could not send an ambassador, because war was declared

CHAP. declared against the empress queen, and not
 II. against the head of the empire.^b
 1761.

9th Sept.
 Capture of
 Schweid-
 nitz.

10th Dec.

Battle of
 Filling-
 shausen.

15th and
 16th July.

DURING the winter, a few trifling skirmishes only took place between the king Prussia and the allies, but offensive operations were now seriously resumed. Frederick II. maintained, with spirit, vigour, and skill, an unequal contest against the overwhelming armies of the two empires. He was obliged to consider safety fortunate, and to maintain his political situation by address in temporizing, rather than risque every thing by a desperate effort in battle. His distress was increased by the unexpected capture of Schweidnitz, a strong city in Silesia, from which he had hitherto drawn considerable supplies. His affairs were generally unprosperous in Silesia, Pomerania, and Saxony, and he kept the field with difficulty and disadvantage, till his troops went into winter quarters.

PRINCE FERDINAND, on the other hand, made a brilliant and successful campaign: at an early period he fortunately cut off some supplies, and availing himself of the inaction occasioned by this event, strengthened his own position at Kirch Denckern. He was, however, attacked by the French: the conflict was severe, and continued two days: the enemy for a time seemed victorious; they compelled part of the British troops under lord Granby to retire, and possessed themselves of the village of Fillingshausen; but at length, by a masterly manœuvre, prince Ferdinand, and the British general, turned the fortune of the day, and

^b *Ouvres complètes de Frederic II. Roi de Prusse*, v. iii. chap. 13.
 —Historical Memorial of the negotiation, published in Paris by authority.

secured a most important victory.^c The career of success was uninterrupted till the end of the campaign, which covered both generals with glory.^d

CHAP.
II.
1761.

NOR were the British arms less successful in other quarters. Among the most promising enterprizes of the year, was a secret expedition to the attack of Belleisle, near the coast of Brittany. The fleet consisted of ten ships of the line, besides frigates, fire-ships, and bombs, and one hundred transports, which conveyed nine thousand men, with a train of artillery. The fleet sailed from Spithead in three divisions, under the command of commodore Kerpel; and the troops were led by major-general Hodgson.

Capture of
Belleisle.

29th Mar.

THEY attempted a landing on the south east of the island, in a sandy bay, near Lomeria Point, but were repulsed with loss. After some time, they made another effort near the same point, but in a place where the enemy, trusting to the natural impediments, had been less solicitous to form an artificial defence. Having surmounted considerable difficulties, they laid siege to Palais, the capital of the island, and compelled the governor to capitulate, after a resistance of two months, in which he lost two thousand men.

8th April.

7th June.

THE news of this conquest occasioned general exultation. A loyal address was unanimously voted by the city of London: and great expectations were formed, that the capture of

17th June.

Address of
the city of
London.

^c This battle, if we may believe Dumouriez, was lost through the precipitation of Breglio, who, in order to gain the victory by his own army alone, made the attack a day too soon, and through the criminal jealousy of Soubise, who sacrificed the glory and interest of France to the pleasure of mortifying his rival. *Life of Dumouriez*, vol. i. p. 36.

^d *Œuvres du Roi de Prusse*, vol. iii. chap. 14.

CHAP.

II.

1761.

17th Dec.

Capture of
Dominica.
6th June.

Reduction
of the Che-
rokees.

India;

Invasion of
Bengal by
the Shah
Zaddah;

who is de-
feated.

Belleisle would procure more favourable terms of peace. The demolition of the works seems to have been the principal object of the enterprise, and that was effectually accomplished. The French, afterwards, made an attempt to burn the British fleet in Basque Road, near Aix: the project was well conceived, but failed through the precipitation and unskilfulness of those to whom it was entrusted.

IN the West Indies, Dominica was taken by lord Rollo; and the Cherokee Indians having taken up arms, at the instigation of the French, Sir James Douglas and colonel Grant, at the head of two thousand six hundred men, ravaged their country, and compelled them to sue for peace.^c

IN the East Indies, the British power, which had been strengthened on the coast of Coromandel by the possession of Pondicherry,^f was still further secured on the coast of Malabar by the capture of Mibie, which was taken by major Hector Monro. An adventurer, named Law, nephew of the famous projector, excited a momentary struggle, by supporting with a corps of French fugitives, the cause of the Mogul, who in the preceding year had been known by the title of the Shah Zaddah. Instigated by the advice of Law, that prince entered the kingdom of Bengal at the head of eighty thousand Indians, and about two hundred French. Major Carnac with twenty thousand blacks, and five hundred English soldiers, totally routed this vast army, and took the Shah Zaddah and Law, prisoners.^g

^c Beaton's Naval and Military Memoirs, vol. iii.

^f See Smollett's continuation of Hume, vol. v. p. 363.

^g See chapter x.

D'ESTAING, who in violation of his parole, infested the Indian seas with two frigates, sailing to Sumatra, reduced Bencouli, Tappanapoli, and Marlborough fort.

CHAP.
II.

Exploits of
d'Estaing.

WHILE war was thus vigorously, and with various success, carried on in all quarters of the globe, the people of England enjoyed not only an absolute tranquillity, but partook of the pleasures incident to a new reign, and shared the festivals to which the season gave birth.

Tranquillity of Great Britain.

THE king, having summoned a council extraordinary, declared his determination to marry the princess Charlotte of Mecklenberg Strelitz. This communication was received with some surprize, as the king's intention was a profound secret.^a His conduct was highly prudent, for it prevented discussions which are at all times indelicate, and which might, on this occasion, have been attended by unpleasant circumstances. The late king was, at one period, supposed to entertain an intention of marrying him to a princess of Brunswick, niece to the king of Prussia; but this match was disagreeable to the princess of Walesⁱ; and those comparisons which the public interest in the event could not fail to produce, had the king's intention been early announced, must have given great uneasiness at court.

8th July.
The king declares his intention to marry.

THE proper arrangements being made, lord Anson, first lord of the admiralty, conducted the princess to England, where, after a dangerous and difficult passage, she arrived in safety. The ceremony of marriage was per-

His marriage.
7th Aug.

8th Sept.
22d, and coronation.

^a Lord Oxford's works, vol. v. p. 75.

ⁱ Lord Malcombe's Diary, 174.

CHAP.

II.

1761.
Negotia-
tions for
peace.

24th and
31st Mar.

formed the same day, and soon afterwards the coronation.^k

ONE of the most interesting and important transactions of this year, was the negotiation for peace between Great Britain and France. In consequence of the desire expressed by the court of Versailles, M. de Bullly was received in London, and Hans Stanley at Paris, as ministers. After some delay, the principles were fully arranged. These were, — That the conquests made on each side should be considered as the property of the conquerors, and either retained or exchanged according to their value: certain periods were also fixed, though not without great discussions, at which the effect of this stipulation was to begin: And it was agreed, that all arrangements between the two crowns should be conclusive, independent of the fate of the congress then expected to take place at Augsbourg.

These proposals were made by France; but there is no room to believe, that she was at this moment sincere in the wish for peace. The French cabinet entertained great hopes of inducing Spain to engage in the quarrel, and therefore ostentatiously submitted to make humiliating attempts at conciliation, judging this to be the most certain mode of alarming the court of Madrid, and inducing the Spanish minister to prevent the conclusion of peace with Great Britain, by an early avowal of hostility. Spain had declared that France was sufficiently humbled, but must not be ruined^l; and therefore every appearance of immoderate

^k For a spirited account of these events, see lord Orford's works, vol. v. p. 80 and 83.

^l Lord Orford's works, vol. v. p. 82.

concession

concession could not fail of exciting great emotion.

THE British ministry did not entertain sanguine hopes of a successful issue of the negotiation, as after the commencement of it, the expedition against Belleisle was undertaken.

CHOISEUL conducted the business with great art and address: he contrived to impress on Mr. Stanley's mind, the necessity of keeping the extent of the proposed compensations an intire secret, not only from the ministers of the allies of England, but even from M. de Buffly himself;^m and, after much debate, agreed that France should make a specific proposal of compensations.

THE articles delivered by the French minister were:

I. THE cession and guaranty of Canada to England, under four conditions, viz. The free exercise of the Catholic religion: free leave for French subjects to quit the colony: the correct settlement of the limits: and liberty of fishing and drying fish on the banks of Newfoundland; for the benefit of which fishery, Cape Breton was to be restored to France, but no fortifications to be erected.

II. FRANCE to restore Minorca and fort St. Philip.

III. ENGLAND in return to restore Gaudaloupe and Marigalante.

IV. DOMINICA and St. Vincent to be in the possession of the Caribbs, under the protection of France; St. Lucie to be restored to France; and Tobago, under certain conditions, to remain in the possession of England.

^m Private letter from Mr. Stanley to Mr. Pitt, 28th August 1761.

CHAP.

II.

1761.

V. ASSUMING as a principle that it would be advantageous for the two countries to abstain from all military views of conquest in India, it was proposed that the treaty between Godeheu and Saunders, in 1755, should serve as a basis for the re-establishment of peace in Asia.

VI. ENGLAND to retain either Senegal or Gorce, but to give up one of them to France; and also to restore Belleisle, with the artillery which was there at the time of the conquest.

VII. IN consideration of these cessions, France stipulated to evacuate Hesse, Hanau, and those parts of the electorate of Hanover occupied by them.

VIII. THAT the separate peace might not be prejudicial to any treaties, or disadvantageous to the empress queen, the king of England should undertake that no part of the forces, composing prince Ferdinand's army, should join the king of Prussia; and, on the other hand, that the armies commanded by Broglio and Soubise should retire, Broglio occupying Frankfort, and Soubise Wesel and Gueldres.

THE countries belonging to the king of Prussia, on the lower Rhine, being conquered, and actually governed in the name of the empress queen, the French king could not undertake to evacuate them, till the close of the negotiations at Augsbourg; but agreed to withdraw double the number of troops withdrawn by the king of England.

IX. NAVAL captures made before the war to be restored; however, this was not insisted on as an essential stipulation, but offered to be referred to the justice of the king of England, and the English tribunals.

THE

THE other articles were not of much importance. CHAP. I.

THESE proposals, though liberal in some instances, could not form the basis of an honourable treaty, as in other respects the claims of France were exorbitant, and displayed an extravagant share of presumption, particularly in the case of India, where it is proposed that Great Britain should resign valuable and extensive conquests, without an equivalent, and merely in compliance with a principle of policy, not of law or justice, dictated by an enemy. The requisition for the restitution of prizes, although recommended by some shew of moderation, is equally arrogant: it affects to make a distinction between the French nation and individuals composing it, and concludes with a clamorous appeal to the law of nations, and an assertion that the arguments advanced on the part of France are unanswerable. The articles respecting the conquests made from the king of Prussia, is no less indidious and presumptuous; if the congress of Augsbourg failed of producing an immediate pacification, that monarch, must, in all probability, have been crushed by the powerful combination of his enemies, an event which France well knew Great Britain could never permit.

IT is very doubtful if these proposals could have been so modified as to produce a good system of pacification; but it is more probable that the French minister had previously secured the co-operation of Spain, and had even planned the treaty which was afterwards carried into effect, and the operations which resulted from the alliance.

THIS conjecture is rendered still more probable, by the delivery of another memorial from

Observations on them.

Affairs of Spain introduced by France.

CHAP. from France on the affairs of Spain, in which
 II. the French king more than equivocally inti-
 1761. mated the hostile disposition of the court of Madrid.^a

AFTER this arrogant insinuation, the French king required, as the means of securing a solid peace,—

I. THE restoration of some captures made during the war.

II. THE privilege for the Spanish nation to fish on the banks of Newfoundland.

III. THE demolition of the English settlements upon the Spanish territories in the Bay of Honduras.

THESE proposals, and this interference, were sufficient to evince that France was not in fact desirous of peace: but to aggravate still more the impropriety of their demands, a third memorial was delivered, stating the consent of the empress queen to a separate pacification between France and England, provided she might retain possession of the countries conquered from Prussia, and none of the auxiliaries in alliance with Hanover, should join with Frederick.

24th July.
 Spirited
 conduct of
 Mr. Pitt.

THE British minister, with great spirit and propriety, declared, both in conversation and in writing, that the king would not suffer the differences with Spain to be blended in the disputes then under discussion; and added, it would be considered an affront to his majesty's dignity, and incompatible with the sincerity of the negotiation, to make further mention of

^a He says, "The king will not disguise from his majesty (of Great Britain) that the differences of Spain with England, fill him with just apprehensions, and give him room to fear, that, if they are not adjusted, they will occasion a fresh war in Europe and America."

fuch

such a circumstance: he, therefore, returned the memorials relating to Spain and the king of Prussia, as totally inadmissible.

CHAP.
II.
1761.

Mr. PITT afterwards answered the French propositions, and insisted on terms more consistent, perhaps, with the situation in which this country stood from the advantages of conquest, than with the pacific sentiments which were supposed to give rise to the treaty. If France had acceded to them, she subscribed to her own utter ruin, and gave up all sources of wealth, or political importance in America, Africa, and Asia. The demolition of Dunkirk was peremptorily demanded, as the price of liberty to fish on the banks of Newfoundland; and that permission was rendered less valuable by a refusal to cede Cape Breton. Belleisle was offered as an equivalent for Minorca. Guadaloupe and Marigolante were to be restored; but as the minister refused to part with Senegal or Goree, the French West India islands would have been of little value or importance, from the difficulty of supplying them with negroes. Canada was to be retained, but the limits were left in a state of uncertainty. The question concerning conquests in India, was left to the discussion of the English and French East India Companies. The restitution of prizes was utterly refused; and the king declared he would continue, as an auxiliary, to assist the king of Prussia in the recovery of Silesia.

29th July.
Answer to
the French
proposi-
tions.

It might be easily proved that the terms here insisted on, were no less injudicious than immoderate. The equitable end of war is not the political annihilation of an enemy, but the termination of disputes, and the securing of an honourable and permanent peace. Nei-
ther

Observa-
tions.

CHAP.
II.
1761.

ther of these objects, however, could have been attained by this pacification; and France, however reduced in point of finance, could not be expected to receive such disgraceful conditions, while she had yet the means of prolonging a contest, in which time might produce a turn in their favour, but could hardly reduce her to a more deplorable state of necessity.

THE minister, therefore, did not act with his usual wisdom in allowing to France the advantage of complaining, that his haughtiness rendered the treaty inadmissible: and he furnished Spain with a more plausible pretence for the mode of conduct she was now resolved to adopt. The Spanish minister, without delay, avowed the memorial delivered by M. de Bussy, relating to the interests of Spain, and Spanish gold began to be coined on the frontier towns of France, for the benefit of that nation.*

Negotiation continued.

5th Aug.

BUT as matters were not yet ripe for an open rupture, the farce of negotiation was continued: an ultimatum was delivered from the court of France, replying to the propositions of England; and memorials were sent respecting the prizes; which, with the dubious conduct of Spain, necessarily occasioned some delays. Choiseul amused Stanley with equivocal declarations in regard to Spain, and even induced him to believe, that the introduction of Spanish affairs by France, was not a voluntary act, but extorted by the exigences of his situation.^p

14th Aug.
Family compact signed.

AT length the famous treaty, called the family compact, was secretly signed, and though

* Lord Orford's works, vol. v. p. 82.

^p Letter from Mr. Stanley to Mr. Pitt, 20th Aug. 1761.

it was not yet ratified, and the conditions were unknown, yet Stanley received obscure intelligence on the subject, which he communicated to Mr. Pitt. The French ultimatum was peremptorily rejected, the negotiation abruptly terminated, and Buffy and Stanley returned to their respective courts.^a

CHAP.
II.
1761.

1st Sept.

25th Sept.

THE introduction of Spanish affairs by the French minister, highly offended Mr. Pitt. He immediately dispatched to the earl of Bristol, the British ambassador at Madrid, a letter complaining, in the most unqualified terms, of the conduct both of France and Spain. The memorial delivered by Buffy, he says, will best speak its own enormity, and the extreme offensiveness of the matter it contains. Lord Bristol was instructed to apprise don Ricardo Wall, the Spanish secretary of state, of the memorial; to remonstrate with energy and firmness on the irregularity of the proceeding; and to state, that the king would by no means add facilities for the satisfaction of the court of Spain, in consequence of any intimation from a hostile power of union of councils, or of present or future conjunctions. At the same time, considering it possible that the court of France might have exaggerated, lord Bristol was instructed, if he should perceive a disposition in M. Wall, to explain away and disavow the authorization of Spain, to this offensive transaction, to open to the court of Madrid a handsome retreat.

Mr. Pitt's
instructions
to lord
Bristol.
28th July.

IN pursuance of these instructions lord Bristol waited on general Wall, and enforced all

Lord Bristol's
explanation
with general
Wall.

^a For the history of this negotiation have been consulted: The papers relative to a rupture with Spain, laid before the house of commons, The historical memorial published by the court of France; together with many pamphlets, and periodical publications.

CHAP.

II.
1761.

the topics contained in Mr. Pitt's letter, with the greatest firmness and spirit. The Spanish minister, having previously received information on the subject from the French ambassador, answered, that France had voluntarily proposed to attempt an accommodation of the differences between Spain and England, and had spontaneously offered, in the event of a rupture, an union of her forces with those of Spain, to prevent the English encroachments upon his catholic majesty's territories in America: an offer which the Spanish monarch had received with all the cordiality due to a friend, who was determined even to involve himself in a fresh war in order to defend Spain. General Wall, however, assured lord Bristol, that the king of Spain had no intention to provoke Great Britain, especially at a time when the court of London was in a most flourishing and exalted situation, occasioned by a series of unparalleled prosperities. He made many general professions of pacific and amicable intentions, and placed the interference of France in a point of view intirely inoffensive. After discussing the complaints against England, Wall proceeded to satisfy the doubts entertained respecting the naval armaments carrying on in various ports of Spain. He expressed surprize that Great Britain should take umbrage at this circumstance, as the whole number, including ships of the line and frigates, did not exceed twenty; and they were employed in sailing backwards and forwards between Spain and Naples, in convoying flotas and register ships, and maintaining a check upon the Barbary corsairs.

THE dispatch from lord Bristol containing an account of these transactions, which are
the

the substance of five conferences, was accompanied with a paper delivered to him by general Wall, in which the complaints of Spain are enforced, and the alliance with France avowed, in a more spirited manner, though pacific inclinations are still professed. After displaying the just grounds of complaint, and the moderation and candour of the court of Madrid, the following expressions are used: "The king of Spain will say, as the king of England does, that he will do nothing on account of the intimation of a hostile power, who threatens an union of councils, and gives to understand a future war; for the catholic king approves of, and esteems in other monarchs, those sentiments of honour he feels himself, and if he had thought that the delivery of the memorial had been confirmed as a threat, he would never have consented to it. Why has not England made the trial of concluding a peace with France, without the guaranty or intervention of Spain? and adjusted her differences with Spain, without the knowledge of France? Then she would have experienced that their union was not an obstruction, but only tended, to tranquillity. With respect to Spain, it is now repeated, that as the king of Great Britain, notwithstanding the memorial, was inclined to satisfy the catholic king, and ready to terminate, in a friendly manner whatever might occasion a coolness between the two kingdoms; his catholic majesty esteems and corresponds with such good purposes."

This letter from lord Bristol was dated the

* Papers relative to the rupture with Spain.

CHAP.

II.

1761.

31st of August, and received the 11th of September. It contained nothing which could justify any hostile intention against Spain; on the contrary, it afforded ample room to hope for an adjustment of all differences on advantageous terms. The Spanish minister did not attempt to disguise the terror of his court at the vigour and energy of the British arms, and seemed ready to give up every claim which, consistently with the dignity of an independent nation, could be surrendered, to avoid a rupture with so formidable an adversary.

18th Sept.
Mr. Pitt
proposes
war with
Spain.

To the surprize then of all who were unacquainted with his motives, Mr. Pitt, in a week after the receipt of this letter, proposed in the cabinet to order lord Bristol to withdraw from Madrid: and presented a bold and extensive plan of operations against the trade, the colonies, and the wealth of Spain. This proposition was delivered in writing, and signed by Mr. Pitt and lord Temple, as advice to the king. It was debated with great warmth at three several councils, called for the express purpose; but the cabinet remaining unconvinced by the arguments adduced in favour of the plan, Mr. Pitt and lord Temple declared their resolution to resign. Mr. Pitt said, “he was called to the ministry by the voice
“of the people, to whom he considered him-
“self accountable for his conduct; and he
“would not remain in a situation which made
“him responsible for measures *he was no*
“*longer allowed to guide.*” To this intemperate and unwarrantable declaration, lord Granville, president of the council, replied, “I can
“hardly regret the right honourable gentle-
“man’s determination to leave us, as he would

Lord Tem-
ple and Mr.
Pitt deter-
mine to re-
sign.

“ otherwise have compelled us to leave him;
 “ but if he be resolved to assume the right of
 “ advising his majesty, and directing the opera-
 “ tions of the war, to what purpose are we
 “ called to this council? When he talks of be-
 “ ing responsible to the people, he talks the lan-
 “ guage of the house of commons, and forgets,
 “ that at this board, he is only responsible to
 “ the king. However, though he may possibly
 “ have convinced himself of his infallibility,
 “ still it remains that we should be equally con-
 “ vinced, before we can resign our understand-
 “ ings to his direction, or join with him in the
 “ measure he proposes.”

Mr. PITT's resolution to resign, has been variously considered, and censured or defended with a warmth proportioned to the magnitude of the object: for certainly the character of a great man, acquired by long and arduous exertion, cannot be considered as deficient in importance or interest; and the attempt to establish the extraordinary principle, that a minister is entitled to abandon the cabinet, because he is not allowed to guide it, requires more than common support, both from fact and argument. Mr. Pitt himself declared, “ that his opinion
 “ was founded on what Spain had already
 “ done, not on what that court might further
 “ intend to do.” This declaration must obviously allude to some intimation he had received of the execution of the family com-

Observations.

* History of the late minority, p. 32.

* Letter from Mr. Pitt to ———, in the city. See History of the late minority, p. 37. Annual Register for 1761, p. 300. Gentleman's Magazine, 1761, p. 465.

CHAP.

II.

1761.

15th Aug.
and 8th
Sept.

fact, and lord Temple afterwards declared this to be the point on which their vindication rested.^u In fact, the family compact was signed and ratified, before Mr. Pitt proposed the attack on Spain; and it is affirmed that lord Mareschal, who not long before had been in Spain, and who, at the intercession of the king of Prussia, was restored to his property in Scotland, in gratitude communicated to Mr. Pitt this remarkable treaty; but this fact was not disclosed to the cabinet.

MR. STANLEY sent to Mr. Pitt, from Paris, a letter, containing information that some treaty had been entered into between France and Spain, and from memory detailed what he understood to be the tenth article of that treaty; but this information was so vague and indefinite, that no minister could, by the production of it, have justified a declaration of war.* Mr. Stanley, perhaps, thought this the tenth article of the family compact, but, in fact, no such article appears. This letter was laid before the cabinet, and copies permitted to be

^u History of the late minority, p. 83.

* Mr. Stanley's letter is in these words: "I have secretly seen an article drawn up between France and Spain; in which the former engages to support the interest of the latter, equally with her own, in the negotiation of peace with England. It was entitled, Article 10th.—I am as yet a stranger to the other nine, but shall endeavour to get them.—This was on a separate piece of paper—I read it twice over; but it was not lent me long enough to copy.—I conceive it to be very recent; for it was communicated in a letter, dated August 10th, to M. de Buffly. He was directed not immediately to sign the peace if it could be agreed with England; perhaps in order to get off from Spain more decently. I question whether this article has been signed, or totally concluded; but he was not allowed to proceed contrary to it. Spain has been pushing her negotiation ever since I came here, and had about this time gained great ground."

taken

taken by the ministers and their friends; they deliberated on it, and rejected the proposal it was intended to justify. Had this letter been avowed as the only intelligence, which induced the court of Great Britain to commence hostilities, all Europe would have been alarmed: the violence of the measure would have destroyed every principle of national security; and the faith of Great Britain would have received an indelible stain.

NOR were the advantages to be derived from such an effort, so great as have been supposed. The whole marine force of Spain was inadequate to oppose the victorious and well appointed navy of England. The colonies were open to attack, and the small portion of delay requisite to obviate the charge of precipitation and injustice, could make no effectual alteration in that respect. The flota, which it was part of the project to intercept, might, at the very period the proposal was made, have been expected in port; but certainly there was every reason to suppose, that before lord Bristol could receive orders of recall, and a force be dispatched to effect the capture, the intended prize would have been out of danger.^z And even if the enterprize had succeeded, the value of the acquisition would have afforded but

^z Mr. Pitt's resignation in consequence of his proposal not being complied with, took place the 5th October. On the 2d November lord Bristol wrote a letter to his successor, containing this paragraph: "Two ships have lately arrived at Cadiz, with very extraordinary rich cargoes, from the West Indies; so that all the wealth that was expected from Spanish America, is now safe in Old Spain." From this it appears almost impossible that, had the utmost celerity been used, either of these ships could have been intercepted. Indeed, their being yet to arrive could hardly be expected, since lord Bristol, in a dispatch dated the 21st September, and received the 16th October, announced the arrival of the flota in the bay of Cadiz, and mentioned the king of Spain's disappointment at the small quantity of treasure on board.

CHAP.

II.

1761.

small compensation for the sacrifice of national honour, by an act differing very little from piracy.^a

SPAIN had committed no avowed act which could justify Great Britain in a declaration of war; nor was the intelligence which had been obtained of her private measures, sufficient to afford a pretence for hostility. If a conjecture may be hazarded, it seems not improbable that the communication made to Stanley, was a refined piece of finesse in the French ministry. They were extremely anxious to engage this country in a rupture with Spain, and perhaps expected that the British minister would, immediately on receiving the intelligence they had permitted to transpire, take steps which he would be utterly unable to justify, and thus make the cause of France and Spain the common interest of Europe.

5th Oct.
Mr. Pitt's
resigna-
tion.
The king's
behaviour.

MR. PITT, in pursuance of his resolution, went to St. James's, and resigned the seals. The king received them with ease and firmness, without requesting him to resume his office. He expressed concern at the loss of so able a minister; and to shew the favourable sense he entertained of his services, made him a gracious and unlimited offer of any rewards in the power of the crown to bestow. His majesty, at the same time, expressed himself not only satisfied with the opinion of the majority of the council, but declared he should have found himself under the greatest difficulty, had that council concurred as fully in supporting the

^a The king of Prussia pays Mr. Pitt the compliment of having penetrated the intentions of Spain, like a real statesman; but Mr. Pitt possessed no information which could justify him in declaring war, and the king of Prussia was totally unacquainted with the government, parties, and politics of Great Britain. (*Œuvres du Roi de Prusse*, vol. iv. p. 60.)

measure proposed by Mr. Pitt, as they had in rejecting it. Mr. Pitt was sensibly touched with the grandeur and condescension of this proceeding: "I confess, Sire," he said, "I had but too much reason to expect your majesty's displeasure. I did not come prepared for this exceeding goodness—pardon me, Sire, it overpowers—it oppresses me." He burst into tears.^b At a subsequent period, paying a due tribute of gratitude to the generous demeanour of the king, he says, "Most gracious public marks of his majesty's approbation of my services, followed my resignation. They are unmerited, and unsolicited; and I shall ever be proud to have received them from the best of sovereigns."^c

CHAP.
II.
1761.

THE next day arrangements were made for Mr. Pitt's retreat from office. A pension of three thousand pounds a year for three lives, was settled on him, and a title conferred on his lady and her issue.^d Lord Egremont was appointed

6th.

Mr. Pitt receives a pension.

25th Nov.

^b Copied verbatim from the Annual Register, 1761, p. 44. See also Gentleman's Magazine, 1761. p. 546.

^c Letter to ———, in the city.

^d The following circumstance would not deserve notice, but it serves to shew how easily calumnious reports are received, and how carefully preserved and repeated, till the sources of history are intirely polluted. The account of these transactions was not published in the Gazette till the 10th of October, when it was accompanied with an article from Madrid, showing the pacific disposition of the court of Spain. An anonymous author relates the event in these words: "The Gazette itself was prostituted to serve his (lord Bute's) low and base artifices: he purposely postponed the account of Mr. Pitt's resignation for several days, in order that one of the soothing declarations of the court of Spain might appear along with it, by way of giving the lie to Mr. Pitt's opinion of the Spanish intentions." (History of the late Ministry. p. 35.) The same account, though not in terms quite so harsh, is repeated in the Life of lord Chatham, vol. 1. p. 327. The fact stands thus: Mr. Pitt waited on the king to resign on Monday, but the arrangements were not finally made till Tuesday, which being the day when the Gazette is regularly published, Mr. Pitt's resignation and pension

CHAP.

II.

1761.

pointed his successor; and, shortly afterwards, the duke of Bedford lord privy seal.

Mr. PITT might, perhaps, feel some disappointment on his resignation, when he found that his example was not followed by several of his colleagues; but, notwithstanding the great weight he derived from his unbounded popularity, he had few personal adherents in the cabinet. The duke of Newcastle in particular had always been jealous of Mr. Pitt's ascendancy, and saw with envy the success of those measures, in which, though he held a distinguished place in administration, he was considered merely as an inferior co-adjutor.*

could not have been announced earlier than Saturday the 10th, unless it had been considered important enough to issue an extraordinary Gazette on the occasion. There was no necessity to delay the intelligence till a soothing declaration from the court of Spain should arrive, for on the very day Mr. Pitt resigned, a letter was received from lord Bristol, which was published among the papers relative to the rupture with Spain, and amply shewed that Spain, at that period, was not disposed to assume an hostile position.

Letter from the earl of Bristol to Mr. Secretary Pitt, dated Segovia, Sept. 14th, 1761, received October 5th.

"SIR,

"General Wall has acquainted me that M. Manfo, governor at Sanroque, had, in consequence of the orders transmitted to him, been at Tariffa, where (after examining into the conduct of the inhabitants of that place, and reproving those who connived at the proceedings, which occasioned such repeated complaints from me concerning the illegal protection granted to the French row-boats, under the cannon of that port), he had taken such measures as would put an effectual stop to any further remonstrances on that subject.

"The Spanish minister likewise informed me of his having heard, that several additional works are going forward in order to strengthen the fortifications at Gibraltar; which, he said, would naturally confirm the report, too universally spread, of an approaching rupture between our courts. His excellency asked me, whether Great Britain could seriously entertain any apprehensions of such an event? and, without giving me time to answer, added, that the catholic king had at no time been more intent on cultivating a good correspondence with his majesty than at present," &c. &c.

* See lord Orford's Works, vol. 1. p. 70.

Their

Their union had never been sincere, and probably the duke hoped, on Mr. Pitt's resignation, to resume that power which constituted his greatest ambition.^f

CHAP.

II.

1761.

His views were not gratified; lord Bute was considered the head of administration, and those who expected to obtain favour by connecting themselves with the favourite of their sovereign, were extremely assiduous in their court to him, and profuse in their expressions of attachment. Lord Melcombe was among the foremost to congratulate him on being delivered from a most impracticable colleague; his majesty from a most imperious servant; and the country from a most dangerous minister.^g But lord Bute did not exult in the event, and whatever motives of uneasiness he had in the late administration, he was far from thinking the dissolution of it, in the present minute, favourable to the king's affairs.^h

Lord Bute considered at the head of administration.

His sentiments on Mr. Pitt's resignation.

THE

^f History of the late Minority, p. 74.

^g Letter from lord Melcombe to lord Bute, 6th October, 1761.

^h Lord Bute's answer to lord Melcombe, 8th October. This letter is replete with sentiments of prudence and moderation, and gives so clear a view of the principles and politics of the writer, that a copy is subjoined for the purpose of illustrating his character.

" My dear Lord,

" Whatever private motives of uneasiness I might have in the last administration, I am far from thinking the dissolution of it favourable in the present minute to the king's affairs. Without entering into the causes of the war, it is sufficient to observe, that it was a national one, and that the honour of the nation is pledged to support its allies. You, my dear lord, cannot dislike it more than I do; but as we have to do with a most treacherous enemy, whose infamous prevarications, &c. have been so lately experienced, we must act with redoubled vigour and spirit, before we can hope to bring them to such a peace as; from our repeated conquests, this country has a right to expect,—such a peace as I (with this load of responsibility) durst put my name to. This being so, the change of a minister cannot at present make any remarkable change in measures. I sigh for peace, but will not sue for it; not out of pride, or for motives of self preservation, (though both might, without

honour,

CHAP.

II.

1761.

THE press teemed with publications on the late unexpected change, and Mr. Pitt and lord Bute were assailed by their respective opponents with all the virulence of defamation, and rancor of abuse. Mr. Pitt was reviled for accepting a pension and honours, though these could less be considered an adequate reward for his services, than a tribute of respect to his virtues and exertions: and lord Bute was censured for having occasioned a resignation, which, in fact, filled him with uneasiness. Mr. Pitt's popularity suffered a momentary abatement, and might have been transferred to another, had a competitor appeared: but as there was none, it soon flowed back into its accustomed channel. The common council of London presented a vote of thanks; and on the lord mayor's day, when the king and queen dined in the city, they were received by the people with indifference, and lord Bute was assailed with all the insolence of vulgar malignity, while Mr. Pitt was gratified with unbounded marks of applause.

22d Oct.

9th Nov.

3d Nov.

Meeting of
parliament.

6th.

THE new parliament met while the public mind was thus agitated; and the house of commons unanimously elected Sir John Cust, baronet, their speaker, whose integrity and abilities, rendered him highly worthy of that important office. The king, in his speech from the

honour, be urged) but from a thorough conviction that begging it from France, is not the way to procure it." Indeed, my good lord, my situation, at all times perilous, is now become much more so; for I am no stranger to the language held in this great city: *our darling's resignation* is owing to lord Bute, who might have prevented it with the king, and he must answer for all the consequences; which is, in other words, for the miscarriage of another's system, that he (Pitt) himself could not have prevented. All this keeps up my attention, strengthens my mind without alarming it, and not only whispers caution, but steadiness and resolution."

the throne, after mentioning his happy marriage, adverted to the failure of his efforts at pacification, and stated, as matter of consolation, that the continuance of war, and further effusion of Christian blood, could not, with justice, be imputed to him. He spoke in animated terms of the successes which had distinguished the year; and was persuaded both houses would agree with him in opinion, that the steady exertion of our most vigorous efforts, in every part where the enemy might still be attacked with advantage, could alone be productive of such a peace, as might with reason be expected from our successes. “It is, therefore,” he continued, “my fixed resolution, with your concurrence and support, to carry on the war in the most effectual manner for the advantage of my kingdoms, and to maintain, to the utmost of my power, the good faith and honour of my crown, by adhering firmly to the engagements entered into with my allies. In this I will persevere until my enemies, moved by their own losses and distresses, and touched with the miseries of so many nations, shall yield to the equitable conditions of an honourable peace; in which case, as well as in the prosecution of the war, no consideration whatever shall make me depart from the true interest of my kingdoms, and the honour and dignity of my crown.”

To the house of commons, besides the other necessary supplies, his majesty recommended an adequate and honourable provision for the support of the queen, in case she should survive him; and in conclusion, added, “there never was a situation, in which unanimity, firmness, and dispatch, were more necessary for the

CHAP. "safety, honour, and true interest of Great
II. "Britain."

1761.
7th and
14th Nov.
Addresses.

LOYAL and affectionate addresses were unanimously voted in both houses, and an address of congratulation was also presented to the queen.

19th.
Queen's
dowry settled.

TAKING into consideration that part of the king's speech which related to the queen's survivorship, the house of commons resolved, that in such case she should enjoy a pension of one hundred thousand pounds per annum, together with the palace of Somerset House, and the lodge and lands at Richmond Park. An act was framed to this effect, and passed unanimously. When it received the royal assent, the queen was in the house of lords, and testified her satisfaction and gratitude, by a graceful obeisance to the king.

2d Dec.

Recess.

SUPPLIES were voted for the service of the current year, to the amount of eighteen millions and upwards; twelve millions of which were raised by annuities, chargeable on the sinking fund. Having dispatched the business before them, both houses adjourned for the Christmas holidays.

CHAPTER THE THIRD:

1761—1762.

Progress of the negotiation with Spain.—Disposition of the British cabinet.—Lord Bristol makes repeated inquiries respecting the family compact, but without effect.—Quits Spain.—Memorial of De Fuentes.—Declaration of war.—Spain and France attempt to engage Portugal in their cause.—But failing, declare war against that kingdom.

FOR a short period after Mr. Pitt's resignation, the letters from the earl of Bristol continued to give proof of the most amicable dispositions in the court of Spain. The ambassador even declared, that general Wall had ever acted in too ingenuous a manner to justify a suspicion of duplicity, and intimated that every dispute between Great Britain and Spain might easily be adjusted, if a slight concession, not inconsistent with justice, or national dignity, was made, by yielding some of the most recent encroachments on the Spanish possessions in America. The court of Spain expressed regret at the termination of the treaty for peace with France, but indicated no displeasure, nor the slightest design of interfering in the war,

THE British cabinet was disposed to cultivate the amity of Spain, and gratify the punctiliousness of Catalian honour; but as, according to the assertions industriously circulated by France, Spain was on the point of engaging in the war, and the purport of the treaty entered

CHAP.
III.

1761.
Sept. 21st
and 28th.
Pacific appearance of
Spain.
Oct. 5.

Disposition
of the British
cabinet.

ed

CHAP.

III.

1761.

ed into was hostile to Great Britain, it became necessary to require an explicit declaration. Had they omitted this demand, the ministry would have been exposed to just censure; and if they had proceeded in a negotiation, while a treaty of such supposed importance remained in a state of inferutable mystery, their pusillanimity would have been without justification or excuse.

28th Oct.
Lord Bristol directed
to make inquiries concerning the
family compact.

ACCORDINGLY, lord Bristol was directed to use his most pressing instances to obtain a communication of the treaty, acknowledged to have been lately concluded between the courts of Madrid and Versailles, or of such articles as could, by particular and explicit engagements, immediately relate to the interests of Great Britain. At the same time, lord Egremont, who wrote these instructions, stated, that although the king, confiding in his catholic majesty's assurances of friendship, was unwilling to suppose the treaty prejudicial to Great Britain; yet, as the declarations of France had been diligently and successfully propagated, his majesty considered an explanation, with regard to this already too much credited report, equally necessary to the honour of his crown, and the interests of his people. Lord Bristol was directed to urge this matter in the most friendly terms, and after gently insinuating the arguments contained in the dispatch, to shew that his majesty ought to be satisfied in this before he should proceed to other points: But, on the other hand, he was directed to give the Spanish minister the strongest assurances, that this obstacle once removed, his majesty was cordially disposed to enter into an amicable discussion of other matters in dispute, trusting that a confirmed reciprocal confidence, would indicate expedients

expedients to save the honour of both kings, effect a satisfactory adjustment, and establish an advantageous and permanent harmony.

IN a "secret and confidential" dispatch, it was left to lord Bristol's judgment to decide the mode of commencing this important and delicate discussion. He was also informed, for his private direction, that should he find insuperable objections to the required communication; and if it should be proposed, in lieu of it, to give his majesty solemn assurances of the innocency of the treaty with respect to the king's interest; he was not utterly to reject the alternative, but take it *ad referendum*, to be transmitted to the court of London; "Provided always, that the said assurances be given upon his catholic majesty's royal word, signified in writing, either by the Spanish secretary of state to lord Bristol, or by the Conde de Fuentes to the secretary of state in London, and not otherwise."

BEFORE the arrival of this dispatch, lord Bristol had found so great an alteration in general Wall's behaviour, that he felt it necessary to send a messenger express to London. This alteration arose, most probably, from the intelligence of Mr. Pitt's resignation, and its motives, which occasioned great fermentation. The court of Madrid was at a loss to conceive how the declaration of war against Spain, should ever have been moved in his majesty's councils, since they always considered themselves the aggrieved party, and never could imagine that the English would commence hostilities.

LORD BRISTOL, alarmed at the prevailing reports of an approaching rupture between Spain

Altered behaviour of the Spaniards minister.
2d Nov.

CHAP. Spain and Great Britain, and entertaining
 III. some apprehensions of an agreement to that
 1761. effect between their catholic and christian majesties, declared to M. Wall, that he could neither hear such reports with indifference, nor give credit to them without an explicit avowal from himself.

INSTEAD of a specific answer, Wall began a recapitulation of the Spanish complaints. He affirmed that Great Britain, intoxicated with success, had contemned the reasonable concessions of France, with a view to ruin that power, that she might more easily seize all the Spanish possessions in America, and thus gratify her unbounded thirst of conquest. He then added, with uncommon warmth, that since the king's dominions were to be overwhelmed, he would advise him at least to arm his subjects, and not continue the passive victim he had hitherto appeared.

LORD BRISTOL was astonished at this discourse, and convinced he should obtain no effectual answer to his inquiries at that conference, desisted, but again introduced the subject at a moment when M. Wall was not so much exasperated, and by dint of perseverance, obtained an avowal, that "his king thought it time
 "to open his eyes, and not suffer a neighbour,
 "an ally, a parent, and a friend, any longer to
 "run the risque of receiving such rigid laws,
 "as were prescribed by an insulting victor;" and further acknowledged, that his catholic majesty had judged it expedient to renew his family compacts with the most christian king; but refused an answer to lord Bristol's inquiries concerning the nature and extent of those compacts.

THE British ministry could not, after Mr. Pitt's resignation, receive this intelligence with indifference. By resisting his advice, they had exposed themselves to the charge of timidity and want of foresight, and in the last dispatch to lord Bristol, had taken particular pains to obviate the effect of such a supposition in Spain, by observing, that the measures of government would suffer no relaxation on account of Mr. Pitt's quitting the cabinet; and so far from its being true that the whole spirit of the war had subsided with him, the present ministry were resolved, by a vigorous exertion of their powers, to avoid every imputation of indecision or indolence, and would stretch every nerve towards forcing the enemy to accede to a safe, honourable, and, above all, a lasting peace. The dispatch also stated, that the most perfect harmony, mutual confidence, and unanimity, reigned in the council; with a thorough determination to push the war with such vigour as would, under Providence, procure still farther success.

INFLUENCED by these sentiments, which were no less just than dignified, lord Egremont, in a dispatch to lord Bristol, after due commendations on his moderation, and some pointed remarks on the intemperance of the Spanish secretary, observed, that the result of his inquiries was unsatisfactory; and he was expressly commanded, without loss of time, to demand an immediate, clear, and categorical explanation of the intentions of Spain, and to assure M. Wall, in the most explicit terms, that any procrastination, ambiguity, or evasion, would be considered sufficient ground for authorizing his majesty to take proper measures for the honour of his crown,

and

CHAP.

III.

Conduct of
the British
ministry.

19th Nov.

CHAP.
III.
1761.

and protection of his people. At the same time, lord Bristol was directed to be particularly cautious in avoiding harshness of manner, and not to mix any thing in his conversation with the Spanish minister, which could have the least tendency to indispose or irritate him; as the king's desire of peace was sincere, and the continuance of it would give him unbounded satisfaction.

THIS dispatch, which lord Bristol was instructed to use as he should think proper, was accompanied by two others. The ambassador was directed, if he did not receive the satisfaction required in the letter of the 28th of October, or the explanation which he was then permitted to take *ad referendum*; or if the Spanish minister should acknowledge having entered into any agreement with, or entertaining any intention of joining France in this war; to quit Madrid without taking leave. And he was directed to signify to M. Wall, that a peremptory refusal of giving satisfaction, or of disavowing any intention to take part with our inveterate and declared enemies in the present contest, could not be considered by his majesty in any light, but as an aggression on the part of Spain, and an absolute declaration of war.

Prepara-
tions in
Spain.

MEANWHILE great exertions were made, throughout Spain, for increasing the military and naval establishments; and great quantities of warlike stores were embarked for the West Indies. Lord Bristol continued to press for satisfaction on the subject of the treaty with France. He had succeeded in restoring Wall to his accustomed temper; and assurances of pacific dispositions were reciprocally given. The king's speech at the opening of the session

of

of parliament, and the address of the house of commons in answer, were communicated to the Spanish minister, who approved highly of the patriotism, moderation, and wisdom, which they displayed.

CHAP.
III.
1761.

STILL no satisfaction could be obtained on the principal subject of inquiry. A memorial was transmitted from Spain to their ambassador here, which he delivered to lord Egremont, and in which the claim of Great Britain to be informed of the nature of the treaty, and the manner in which that claim had been urged, were treated with great loftiness.

21st Dec.

SOON after receiving the dispatches of the 28th of October, lord Bristol held a conference with Wall on the topics to which they referred. The secretary, on this occasion, assumed a cold and distant deportment; treated the assurances of a pacific disposition with disregard; and said, although such expressions could never be received but with sincere satisfaction, yet as the British ambassador had been so often directed to hold the same language, unaccompanied by any proofs of those dispositions, it could not seem extraordinary if Spain still pressed for the redress of grievances so long depending. With regard to the treaty, he said his royal master deemed it inconsistent with his dignity, to grant either the communication of it, or to satisfy the British curiosity in relation to any of the articles; yet his excellency added, as from himself, he could give a positive answer to what lord Bristol asked with the utmost facility;—here he abruptly terminated his discourse, nor could lord Bristol obtain any assurance of the innocency of the treaty, but received, instead, a copy of general Wall's dispatch to the Conde de Fuentes.

3d Dec.
Conduct of
M. Wall.

These

CHAP.

III.

1761.

Lord Bristol's final
interviews
with Wall.
5th Dec.
6th.

THESE circumstances made a strong impression on the mind of the British ambassador, and he was preparing dispatches on the subject, when a messenger arrived with lord Egremont's last official letters. Lord Bristol immediately waited on general Wall, who was confined to his chamber, and stated the effect which his angry declarations had produced in London; but, in pursuance of the discretionary power with which he was intrusted, to avoid irritating the Spanish minister, dwelt only in general terms on the intentions of Spain with regard to England. The reason he gives for this conduct, marks his good sense and moderation: "I perceived general Wall's tone to be of so conciliating a nature: he expressed his wishes so strongly that some method might be found out for an amicable adjustment of our differences; and was so far from dropping the least word, that could make me imagine Spain intended to act hostily against us,—that I began to flatter myself I might obtain the categorical answer I was ordered to demand, without the Spanish minister's suspecting my ultimate orders. When I was going out of his room, he took me by the hand, and said with a smile, he hoped ———; but there he stopped. I asked him what he hoped, that I might also hope, and that all might concur in the same hopes: but his excellency only then bowed, and took his leave of me."

THESE pleasing illusions soon vanished: for late in the evening of the next day, lord Bristol received from the hand of M. Wall, a communication of the king's answer in writing, which, besides general expressions of esteem for the king of Great Britain, contained only a reference to Wall's dispatch to Fuentes, and this

was

was declared to be the only answer the catholic king judged it expedient to give. Lord Bristol reminded the Spanish minister of the pressing endeavours he had employed to procure a satisfactory explanation; and observed, that as he found himself unable to obtain a communication of the treaty, or the alternative which he had proposed, he was now authorized to ask,—Whether the catholic king intended to join the French, or to act hostilely? or would in any manner depart from his neutrality? To these interrogatories he required a categorical answer; adding, that a refusal would be deemed an aggression on the part of Spain, and a declaration of war.

THE minister was unprepared for this resolute appeal. “I cannot describe,” lord Bristol says, “the surprize M. Wall expressed. “He only brought out these words, What is to follow? you are, then, directed to withdraw “from hence?” The embassader acknowledged that such were his orders. He omitted, however, no representation which might induce Spain to prevent the miseries of war, and even pressed M. Wall to conquer the effects of his indisposition, so far as to attend the king himself, and set forth the fatal consequences which must result from not giving a precise reply.

LORD BRISTOL’S demand being reduced to writing, M. Wall, in conformity to his advice, attended the king, and returned for answer, that the spirit of haughtiness and discord which dictated this inconsiderate demand, and which, for the misfortune of mankind, still reigned so much in the British government, was what made, in the same instant, the declaration of

Lord Bristol leaves Spain.

10th Dec.

CHAP.

III.

1761.

Memorial
of Fuentes.

25th Dec.

war, and attacked the king's dignity. Lord Bristol was allowed to retire when and in what manner might be most convenient, and no other answer was to be given.

THESE transactions were announced to de Fuentes from his court, with directions to depart from London: but he first delivered a memorial to the British ministry, declaring that the horrors into which the two nations were going to plunge themselves, must be attributed only to the pride, and unmeasurable ambition, of him who formerly held the reins of government, and who appeared still to hold them, although by another hand. He justified the king of Spain for not giving an answer respecting the treaty, on account of the insulting manner with which all the affairs of Spain had been treated, during Mr. Pitt's administration: that minister, he said, finding himself convinced of the justice which supported the catholic king's pretensions, vehemently asserted, "that he would not relax in any thing, till the Tower of London was taken sword in hand." De Fuentes voluntarily declared the obnoxious treaty had no relation to the present war; and, although his catholic majesty had reason to be offended by the irregular manner in which the memorial was returned to de Buffy, he had dissembled, and, from his love of peace, caused a memorial to be delivered to lord Bristol, evidently demonstrating that the proceedings of France which occasioned so much ill-humour in the minister, Pitt, did not affect the laws of neutrality, or the sincerity of the two sovereigns.

THE king of Spain had offered to wave the family compact for the present, if it was found an
impediment

impediment to peace: but when the French minister continued his negotiation, without mentioning Spain, and proposed conditions greatly to the advantage and honour of England, Pitt, to the great astonishment of the universe, rejected them with disdain, and shewed his ill-will against Spain, to the great scandal of the British council.

CHAP.
III.
1761.

THIS feeble attempt to create discord in the cabinet, and excite discontent in the nation, failed in producing those effects. It was answered in a masterly manner by lord Egremont. War was declared against Spain, and a counter declaration issued in that country.^a

War declared
against
Spain.
31st Dec.
2d Jan.
1762.
16th Jan.

It is easy to perceive, from the conduct of this negotiation, that Spain was, in fact, desirous to avoid a war; but, duped by France, adopted those measures which could not fail of producing it. Spain, anxious that the power of France should not be too much reduced, would have attacked Great Britain, in order to obtain favourable terms of peace, if she could have hoped to do it with advantage. But the Spanish minister was not convinced that that period was arrived: even his anger bore the characteristic marks of fear and precipitation, and his most violent declarations seemed to be produced less by hope than despair. France, by the terms in which the claims of Spain had been mentioned in the course of the last treaty for peace, succeeded in exciting a jealousy of the court of Madrid, and the colour given to the family compact,

^a See papers relative to the rupture with Spain. The transactions thus minutely recorded, shew that Great Britain was not open to censure, on the one hand, for vainly and unnecessarily engaging in a war, or on the other for deterring hostilities till it was too late to prosecute them with effect.

CHAP.

III.

1762.

completed the mistrust, and roused the vigilance of the British court. Nothing remained but to exasperate the two countries to a sufficient degree. To inflame the courage of Spain, the king of Prussia's affairs were represented in the most unfavourable light; and the admonitions of prudence were repelled by assurances, that Great Britain would never dare to contend against the united efforts of the house of Bourbon. The family compact obliged Spain to guaranty the safety of all such possessions as should remain to France after the war;^b and to give the utmost beneficial effect to the treaty, the court of Versailles, with crafty policy, instantly involved Spain as a principal in the contest.

Conduct of
Spain to-
wards Por-
tugal.

SPAIN, having thus thrown herself into the arms of France, adopted all measures calculated to forward the interests of her ally. It was hoped that, by producing a rupture with Portugal, Spain would have the tempting inducement of an easy conquest to engage with spirit in the war; and the injury done to the commerce of Britain, would more than counterbalance those advantages which made the English ministry insist on terms so humiliating as the price of peace.^c

16th Mar.

As there was no pretence of justice for this attack, little attention was paid to appearances in the mode of commencing it. Large armies were assembled on the frontiers of Portugal; and the commerce of corn with Spain, was prohibited. The Spanish ambassador, and French plenipotentiary, suddenly delivered a joint memorial to Joseph king of Portugal, stating that

^b See Article II.

^c Œuvres du Roi de Prusse, vol. iv. p. 59.

the two monarchs had found it proper to establish reciprocal obligations, and to take other indispensable steps to curb the pride of Britain; and the first measure they agreed on was, to include the most faithful king in their alliance: they, therefore, required him forthwith to declare himself united with their catholic and most christian majesties, in the war against England; and to break off all correspondence and commerce with that power, as the common enemy of all three, and of all maritime nations. To this requisition a categorical answer was demanded in four days, and a delay was to be considered as a negative.

ON this memorial it is unnecessary to make a single comment; in the language of Mr. Pitt, "it speaks its own enormity." Within the time limited, the king of Portugal returned an answer; declining, with decent firmness, all interference in the existing quarrels, unless his perseverance in the line of neutrality, should intitle him to the character of mediator: he displayed his motives with candour and temperance, and in the whole paper gave not the slightest instance of irritation, or ostentatious inflexibility. The Bourbon ministers in reply presented a second memorial, in which they attempted, with despicable sophistry, to invalidate the subsisting treaties between Great Britain and Portugal, and to convince his most faithful majesty, that justice, no less than interest, ought to induce him to engage in the war. The answer to this insidious and insolent paper, breathes the spirit of an indignant monarch: after refuting the arguments adduced, the king concludes, "His most faithful majesty declares, finally, that "it would affect him less (though reduced

CHAP.

III.

1762.

Portugal
compelled
to declare
war.

20th Mar.

1st April.

5th.

CHAP.

III.

1762.

“to the last extremity, of which the Supreme Judge is the sole arbiter) to let the last tile of his palace fall, and to see his faithful subjects spill the last drop of their blood, than to sacrifice, together with the honour of his crown, all that Portugal holds most dear, and to submit, by such extraordinary means, to become an unheard-of example to all pacific powers, who will be no longer able to enjoy the benefit of neutrality, whenever a war shall be kindled between other nations, with which the former are connected by defensive treaties.” This resolution decided the allied monarchs, who concluded an angry memorial by requiring passports for their ambassadors. The king of Portugal was not deterred by menaces from pursuing his system: he delivered a justificatory paper, and without delay granted the required safe-conduct. The ambassadors left Portugal; and Joseph issued a declaration of war, which produced counter declarations from the kings of France and Spain.

23d April.

25th.

27th.

18th May.

16th and

20th June.

CHAPTER THE FOURTH:

1762.

Proceedings in Parliament.—Motion for papers.—Assistance granted to Portugal.—Prorogation.—Disunion of the cabinet.—The duke of Newcastle resigns.—Lord Bute's ministry.—He discontinues the Prussian subsidy.—Death of Elizabeth empress of Russia.—Peter III. friendly to the king of Prussia.—Peace between Russia and Prussia.—Report of lord Bute's clandestine negotiations with Russia and Austria, examined and refuted.—Revolution in Russia.—Disposition of Catherine II.—The king of Prussia retakes Schweidnitz.—Cassel taken.—Expedition against Martinico.—Capture of Grenada and its dependencies.—The French take the town of St. John's, Newfoundland: Which is recaptured.—War in Portugal.—Rapid success of the Spaniards.—Arrival of the British troops.—General Burgoyne takes Valencia.—Beats up the enemy's quarters at Villa Velha.—Retreat of the Spaniards.—Expedition against the Havannah.—Progress and success of the siege.—Expedition against the Philippine Isles.—Manilla taken.—Capture of the Santissima Trinidad, and of the Hermione.—Unsuccessful expedition against Buenos Ayres.

WHEN parliament met after the recess, the king, in a speech from the throne, informed the houses of the rupture with Spain, and with great force and propriety disculpated himself from

CHAP.
IV.

19th Jan.
Proceed-
ings in par-
liament.

CHAP. from all blame in the transaction. The house
 IV. of commons made a dutiful answer, and pro-
 1762. mised their firm support.

Motion for
 papers.

BEFORE the recess (11th Dec.) a motion was made in the house of commons, to address the king for copies of all memorials delivered by the Spanish ambassador. This motion was supported by Mr. Pitt, whose conduct in resigning was thus rendered an object of discussion. He pressed the laying of every paper before the house, which had passed during the six years negotiation with Spain, relative to the existing disputes; but the proposal was rejected.

MOTIONS to the same effect were now renewed, and the same topics were necessarily introduced. Lord Temple vindicated the conduct of himself and Mr. Pitt in resigning; and intimated that a knowledge of the existence of the family compact, was the foundation of their advice. Lord Bute positively asserted there was no intelligence of such a fact so constituted, at that time, that could be depended on; challenged him to produce it, and required to know where it might be found, that he might request the king to order it to be laid before the house. Lord Temple upon this quitted his seat, and said, he was not at liberty to publish that intelligence, but would refresh his lordship's memory in private. A short whispering took place between the two peers. It is averred, on the one hand, that lord Bute was perfectly satisfied of the correctness of lord Temple's assertion; on the other, and with more appearance of probability, that the result of their conversation was not productive of such conviction. It naturally occurs on such occasion to ask, why lord Temple did not justify

justify himself in his place? why he did not persevere in stating to the whole house that he had the means of proving what he advanced, if lord Bute would procure his majesty's dispensation from the effect of his oath as privy counsellor? It is even averred, that the same assertion was often made in the course of the debates on the production of papers; but never in any manner repelled by lord Temple.^a The papers were laid before parliament, and printed.

CHAP.
IV.
1762.

29th Jan.

THE conduct of the war did not escape animadversion. A motion was made in the house of lords, when the king's speech came under consideration, reprobating the expence of campaigns in Germany; affirming, that the French force was greatly superior to any that could be maintained by Great Britain; and recommending that those troops should be brought home for the protection of Great Britain and Ireland, and for the purpose of diminishing the national burdens. The arguments by which this question was supported or opposed, are not preserved, but it was negatived by a large majority.^b It occasioned a strong protest, which was subscribed by seven peers; among whom was the duke of Bedford, lord privy seal.^c

5th Feb.
Motion respecting
the war in
Germany.

THE progress of French and Spanish aggression against Portugal, determined the king to

Assistance
granted to
Portugal.

^a See History of the late Minority, p. 33. The contrary statement is taken from a paper of memorandums among the MSS. of Lord Melcombe.

^b Contents 16. Noncontents 105.

^c A similar question was debated in the house of commons (Dec. 9th); when the house was so crowded with strangers, that the members found difficulty in taking their seats. The order for not admitting strangers was enforced during the remainder of the session.

afford

CHAP.
IV.

1762.

11th May.

afford the assistance due to the merits and necessities of so faithful an ally. Accordingly, a message was delivered to the house of commons, to enable his majesty to defray any extraordinary expences of the war, and take necessary measures for defeating the enterprizes of the enemy.

23th May.

WHEN this message was taken into consideration, a grant of a million was proposed. It was objected, the sum was too large for the supposed purpose, and the king of Portugal had no right to expect any assistance from Great Britain, because he had violated his engagements with the English wine-merchants. Mr. Pitt, with great spirit and propriety, defended the supply; vindicated the king of Portugal, and asserted that the sum intended was not more than sufficient. He defended the conduct of the German war; and ridiculed the notion of Great Britain being rendered incapable of prosecuting the contest for want of supplies. France, he affirmed, was a ruined nation, and if his advice had been adopted, one campaign would have sufficed to bring the war to a fortunate conclusion. After some further observations, mostly of a personal nature, the sum required was voted.

2d June.
Prorogation.

IN closing the session, his majesty mentioned the hopes he still entertained of seeing the conflicts which agitated Europe happily terminated; and assured the parliament he would return their zeal and affection for his person and government, by a constant attention to whatever might contribute to the ease of his subjects; and it was his ardent wish to found the glories of his reign on the union of his
 5 people,

people, and the welfare and prosperity of his kingdoms.

CHAP.
IV.

Disunion
of the ca-
binet.

SINCE the retreat of Mr. Pitt, the ministry had preserved no appearance of unanimity. Great jealousies subsisted between the duke of Newcastle and lord Bute, occasioned no less by the desire of pre-eminence, than by a radical difference of principles and politics. The duke of Newcastle, on his entrance into public life, enlisted under the banners of party, and was supported through the long period of his ministerial career, by party and family alliances: lord Bute, pursuing, or perhaps directing, the system of his sovereign, was desirous to free the throne from exclusive domination, and to acquire independency, by resisting claims derived from family and adventitious connections. The duke of Newcastle, habituated to Mr. Pitt's ascendancy, bore it without repining; but could not endure to be considered inferior to lord Bute. For this reason, while the people carried their idolatry of the late minister to the greatest excess, and attributed to his foresight all the successes which adorned the annals of the new administration; those men in office who, from their situation and character, were best able to counteract the effect of these reports, surveyed their progress with indifference, and if not actually in league with the opposition, yet formed a combination among themselves, which left lord Bute weakly supported to struggle against the united efforts of a party formidable from numbers, abilities, and popularity.^d

THE means of prosecuting the war, formed

^d Letter from lord Melcombe to lord Bute, 13th April, 1762.

CHAP.

IV.

1762.

a principal ground of difference between lord Bute and the duke of Newcastle. Lord Bute determined to withdraw all pecuniary support from the king of Prussia, and to relax the efforts which this country was making in Germany. The duke of Newcastle resolved on an opposite mode of conduct: he therefore waited on lord Bute, and in a peremptory manner insisted on two millions for carrying on the German war, and paying the king of Prussia's subsidy. Lord Bute shewing himself averse to the measure, the duke of Newcastle declared his intention to resign, unless the money was raised. His lordship answered, drily, "that if he resigned, the peace might be retarded; but never requested him to continue in office, nor said a civil thing to him afterwards while they remained together. The duke went immediately to St. James's, demanded an audience, and announced his unalterable resolution to resign, if the subsidy of Prussia was not continued. The king replied, he should regret such a determination, because he was persuaded that he wished well to his service; and thus the conference ended."*

2d May.
The duke
of New-
castle re-
signs.

THE duke of Newcastle immediately resigned, refusing a pension, which was offered as the only reward in the power of government to bestow, for his long services, and the diminution of his large estate in the uniform support of the house of Brunswick. Lord Bute took his situation at the head of the treasury; Mr. Grenville was appointed secretary of state, and Sir Francis Dashwood chancellor of the exchequer.

26th May.
Lord Bute's
ministry.

* This account is taken from a letter written by the duke of Newcastle to lord Hardwicke, 7th May, 1762.

IF the situation of the king of Prussia had been so desperate at this period, as at the end of last campaign, policy and justice would have been equally repugnant to the refusal of his subsidy; but an incident which human foresight could not divine, and against which all the wisdom of man would have been exerted in vain, had greatly meliorated the condition of Frederick, and even enabled him to retrieve his former losses. This event was the death of Elizabeth empress of Russia, one of his most formidable enemies.

CHAP.

IV.

1762.

Death of Elizabeth empress of Russia.

5th Jan.

HER nephew and successor, Peter III,^f had, from motives of jealous policy, been kept at a distance from the court. His understanding was below mediocrity, and his habits dissipated and indolent. He had formed a friendly attachment to the king of Prussia, who, with his usual address, turned that circumstance to great advantage. He congratulated Peter on his accession, and received an answer dictated by the warmth of sincere friendship: a negotiation was speedily commenced between them, and after some time a treaty of peace was signed: an alliance was afterwards entered into, in consequence of which the army under Czer niches, amounting to twenty thousand men, was transferred to the service of Frederick.^g

Peter III friendly to the king of Prussia.

16th Mar.

5th May. Peace concluded between Russia and Prussia.

THE refusal of Lord Bute to continue the Prussian subsidy has been severely arraigned, and many false representations made of his conduct and motives. It is asserted that, soon after the accession of Peter III, he empowered prince Gallitzin, the Russian envoy extraordinary, to

^f Œuvres du Roi de Prusse, vol. iv. c. 15. Cox's Travels in Poland, Russia, &c. vol. iii. c. 1. Life of the empress Catherine, II. vol. i. c. 2.

CHAP.

IV.

1762.

inform his sovereign that whatever cessions he might require from Frederick, England would ensure compliance; and advised the new emperor to keep the king of Prussia in check, by means of the corps under Czernichef. Peter, the same accounts add, indignant at this duplicity, transmitted the dispatch to the king of Prussia. It is also averred, that similar overtures were made to Austria, but failed through one of those refinements in policy which often lead statesmen into mistakes. Kaunitz, the Imperial prime minister, apprehending that lord Bute's view in making these proposals, was to create dissensions between the courts of Vienna and Versailles, haughtily answered, that the empress queen was sufficiently powerful to do justice to her own claims, nor would she degrade her dignity by acceding to a peace mediated by England.^h

BOTH these accounts are absolutely devoid of foundation, and most probably originated partly in mistake, and partly in the resentment felt by the king of Prussia at the refusal of his subsidy, though in this also the minister was perfectly justifiable.

AT the conclusion of the last campaign, the disadvantageous circumstances of Frederick were truly commiserated by the king; and it was resolved to afford him the usual succours. The terms of the former treaty were open to some objections, but the substance was not disputed. The negotiations on this subject were carried on till the beginning of the year 1762, when war was declared against Spain, and the necessity of defending Portugal was foreseen.

^h Œuvres du Roi du Prusse, ubi sup. See also History of the late Minority, c. v.

The British ministry then directed Mr. Mitchell, envoy extraordinary, to recommend in the king's name, that his Prussian majesty should endeavour to commence a pacific negotiation with the court of Vienna: he was desired to communicate the terms on which he would be willing to treat, with an assurance of the king's desire to assist in bringing so salutary a design to perfection. The king of Prussia was also requested to state the means on which he could rely, after so many misfortunes, and such a diminution of his power, for carrying on the war, if that were his intention. This eclairecissement, though anxiously expected, was still refused: the king, hurt at so unexpected and so unjustifiable a silence, made his complaints on the subject, but still persevered in the intention of applying to parliament, at a proper time, for a renewal of the subsidy. February.

IN this interval the news arrived of the death of Elizabeth, which was speedily followed by a manifesto of Peter,¹ in which he exhorted the king of Prussia's enemies to put a speedy end to the war, and declared his own resolution of restoring to that prince all the important conquests of his predecessor. Still the British ministry waited for such a communication from the king of Prussia, as would justify them, in times of such extreme difficulty, for applying to parliament to increase the national burdens by a renewal of the subsidy; and it was not till after a long term of fruitless expectation, that Mr. Mitchell was directed to hold such language as would prepare Frederick for a total cessation of pecuniary succour. 9th April.

¹ Dated 28th February.

CHAP.
IV.
1762.

FROM the moment of the accession of Peter III, the king of Prussia had maintained a reserved and unfriendly behaviour towards Great Britain. He clandestinely entered into a negotiation with the Czar; the objects of which were extremely detrimental to the British interests, and prejudicial to the engagements of this country with Denmark. The intention of this treaty was, that Peter should guaranty to the king of Prussia the duchy of Silesia; in return for which Frederick was to assure to him the possession of Sleswick. While this negotiation was proceeding, and conducted with the utmost secrecy, the king of Prussia still directed his ministers in London to press for a continuance of his subsidy, although he knew that the measures in which he was engaged, tended to counteract the pacific intentions of the king, to spread the flames of war, and increase the miseries of mankind.

THE refusal to continue the subsidy was not resolved on, till an armistice was concluded between Prussia and Russia, and it was extremely probable that Sweden would accede to the same measure.

UNDER such circumstances, Frederick had no right, according to his own declarations, to expect from this country any further pecuniary supplies. At an early period of the war, * he had stated to Mr. Mitchell, who officially communicated the information to lord Holderness, then secretary of state, that if England would only engage to prevent his being attacked by Russia, he should have so little occasion for any assistance, that he might even be ready to furnish a body of troops for the defence of Han-

* June and July, 1756.

over. At this period Great Britain had a powerful additional enemy; Prussia a new and powerful friend: the weight of Russia and Sweden was subducted from the scale of his opponents; that of Spain was added to ours: Frederick had Pomerania and Brandenburg, which were no longer in danger, to defend, besides Saxony and Silesia; England had to maintain a most extensive war in Germany, and to provide for another in Portugal. This comparison could not escape the observation of the king of Prussia, nor could he reasonably expect that, without a certainty of its being applied towards lessening the objects of war, it was possible to propose the subsidy to parliament with any hopes of success.

CHAP.
IV.
1762.

THE accusations alleged against the British minister, respecting clandestine negotiations with the emperor of Russia, and the empress queen, are founded either in total mistake, or wilful misrepresentation. Frederick, at the time, complained to the king of the reports which had reached him on the subject; and although his majesty did not think it suitable, either to his own dignity or that of the king of Prussia, to enter personally into such altercations, he permitted lord Bute to explain the facts, and set them in their true light.

IN a dispatch, written to Mr. Mitchell for the express purpose of being communicated to count Finkenstein, the Prussian prime-minister, lord Bute terms the report of his endeavouring to enter into a separate treaty with Austria, as a groundless and shameful falsehood, transmitted to the king from his ministers in England. This explicit and strenuous disavowal, communicated directly from the prime-minister of England to Prussia,

26th May.

CHAP.

IV.

1762.

was amply sufficient to destroy the credibility of unauthenticated hearsays, which formed the only ground of the suspicion then entertained, and since perpetuated by the publication of Frederick's posthumous works.

WITH respect to his supposed intimations to prince Gallitzin, lord Bute explains himself more amply, and in a manner abundantly satisfactory: he declares the reports which reached the king of Prussia from the Russian envoy, to be in no respect conformable to the sentiments he had imparted; and he imputes the misrepresentation either to mistake, failure of memory, or to the known attachment of the prince to the court of Vienna, which might induce him to give such a turn to his relation of lord Bute's discourse, as he might think most likely to serve that interest.

Mr. Keith, British minister at Petersburg, judged, from the particular coldness of the Czar, and from hints which he dropped, that something written by prince Gallitzin respecting the king's disposition towards Frederick, had given him offence. The Russian monarch probably communicated the intelligence received from Gallitzin to the king of Prussia, who had been before disposed, by the malignant and mischievous insinuations of his ministers, to give it, however incredible, implicit belief.

BUT, at the time of his interview with prince Gallitzin, lord Bute had before him his first dispatch to Mr. Keith, after the death of the empress: his discourse with the envoy was perfectly conformable to that dispatch, which contained the king's own sentiments. Instead of advising the Czar to continue his troops upon the king of Prussia's territories, the king there expressed

expressed particular pleasure and satisfaction in the orders given to those troops to advance no further, to abstain from hostilities, and to accept an armistice if offered: far from desiring that the court of Russia should prefer an Austrian to a Prussian alliance, Mr. Keith was directed to execute himself certain instructions sent him by Frederick, which were not favourable to the empress queen.

THE king of Prussia might probably take umbrage at the strong preference given in that dispatch to pacific measures, and at the restriction laid on Mr. Keith from concurring in any proposal tending to protract the war: this however was no secret instruction; for Mr. Mitchell was directed to make the same declaration, and shape his conduct by the same rule.

FOR the satisfaction of the king of Prussia on this point, lord Bute transmitted to Mr. Mitchell, *in extenso*, every word in the dispatch to Mr. Keith relating to the general affairs of Europe, or to the king of Prussia in particular. He forcibly displayed the extreme improbability of his holding to the Russian minister a language, not merely different, but absolutely contradictory to the orders he had just sent from the king to his own minister at that court; and that with those very orders in his hand, he should declare, or even insinuate, that his majesty's sentiments were diametrically opposite.¹

BESIDES the advantageous change which had taken place in the politics of Russia, some other circumstances contributed to restore the affairs of Frederick. The empress

¹ From two dispatches from lord Bute to Mr. afterwards Sir Andrew Mitchell, dated 9th April and 26th May, 1762.

CHAP.

IV.

1762.

7th Mar.

queen, confident of being able to achieve all her projects, and instigated by a spirit of parsimony, never safely indulged in war, dismissed twenty thousand of her troops. The king of Prussia also agreed to a cessation of arms with Sweden^m; and, being thus disembarrassed, was enabled to enter on the campaign with a change in the scale of forces, amounting to sixty thousand men, in his favour; a greater advantage, as he himself observes, than he could have derived from gaining three pitched battles.ⁿ

Revolution
in Russia.

UNDER these favourable circumstances, Frederick began his operations in Silesia; but, before he had made any considerable progress, another revolution in Russia deprived him, in part, of the benefits he expected to derive from the fortunate turn in his affairs. The new emperor, fascinated with the character of his friend the king of Prussia, and impelled by an absurd instinct of imitation, made him his model in every particular. Not content with joining him in war, he introduced the Prussian discipline into his army, and the Prussian, or, as it is called, Frederician Code into his senate. He was obstinately bent on a war with Denmark; attacked the property of the clergy; and formed a project for repudiating his consort, marrying his mistress, and declaring his son illegitimate.^o These acts rendered him highly unpopular; and self-preservation, as well as ambition, stimulated Catherine to a timely and vigorous exertion. The feeble character of the

^m Peace was concluded the 22d May.

ⁿ *Œuvres du Roi de Prusse* ubi sup.

^o See Cox's Travels in Russia, &c. vol. iii. c. i. which contains the earliest and most authentic account, of this revolution.

emperor facilitated her designs; his great projects required talents for their execution, which he did not possess: a conspiracy was formed against him; he was deposed, signed an abject instrument of abdication; was imprisoned, treated with neglect and harshness, and at length, if we may believe an uncontradicted report, privately assassinated. ^p

CHAP.

IV.

1762

10th July.

17th.

THE king of Prussia expected this revolution to be highly prejudicial to his affairs, and that Catherine would entertain an hatred against him, proportioned to the friendship of Peter: but that princess shewed no symptoms of a vindictive disposition; on the contrary, finding from the correspondence which came to her hands after her husband's dethronement, that Frederick had ever opposed his rage for reformation, and counselled him to treat his consort with due tenderness, she was sensibly affected. It was not consistent with her policy to excite disgust in her subjects, by compelling them to serve on the opposite side to that on which they had been so many years engaged; or to give offence to the courts of Vienna and Versailles. She therefore withdrew the Russian auxiliaries from the king of Prussia's army, but restored the conquests which had been made by Elizabeth, and contented herself with observing a prudent neutrality. Frederick, though deprived of this assistance, made a successful campaign, recovered the fortrefs of Schweidnitz, and convinced his ene-

9th Oct.
The king
of Prussia
retakes
Schweid-
nitz.

^p See Life of the Empress Catherine II, vol. i. c. 2. History of the Revolution in Russia by M. de Rulhiere.—It is to be observed of this unfortunate prince, that although his imprudence, levity, and pusillanimity, exposed him to censure and contempt, he possessed many amiable qualities, and rendered some essential services to his country.

CHAP. IV. **mies that their project of destroying him was not advanced by all their exertions.**^a

1762.
Cassel
taken.

7th Nov.

Expedition
against
Martinico.

5th. Jan.

8th.

16th.

THE campaign of the allied armies under prince Ferdinand, and the marquis of Granby, was brilliant and successful: they succeeded in preventing the French from obtaining possession of Hanover, and took from them the city of Cassel.

A continuance of the war produced no benefit to France; the vigour with which hostilities were carried on, shewed that the minister, who ardently desired peace, was sensible that it could be effectually obtained only by success in the field. A formidable land force of twelve thousand men, under the command of general Monckton, with a fleet of eighteen ships of the line, besides frigates and inferior vessels, under rear-admiral Rodney, was equipped for the attack of Martinico, the chief of the French leeward islands, the residence of the governor-general, and the sovereign council. The fleet anchored in St. Anne's Bay; where the *Raisonnable* man of war was lost, through the unskillfulness of the pilot. This place being deemed improper for a disembarkation, two brigades landed at the bay of Petite Anse, and the rest of the army at a creek called Cas des Navries, without loss. The island was defended by few regular troops, but had a numerous and well armed militia, and was in itself a natural fortification, from the number of ravines and rivulets with which it was intersected; and the French, with great judgment, posted guards and erected batteries to impede the progress of invasion. The general resolved to besiege the town of Fort Royal, but found himself under

^a *(Euvres du Roi de Prusse, vol. iv. c. 16.*

the necessity of attacking two eminences, called Morne Tortenson, and Morne Garnier. Tortenson was assailed with irresistible impetuosity, and, though defended with spirit and pertinacity, finally captured. The greater difficulty remained in Morne Garnier, which was equally strong, much higher, and overlooked and commanded the other. Three days were necessary to make the dispositions for the assault; but while they were so employed, the enemy made a furious sally, and attacked the English in their out-works: they were received with great bravery, and not only repulsed, but the party attacked became assailants in their turn, passed the ravines, scaled the hill, seized the batteries, and obtained complete possession of Morne Garnier. The positions which commanded Fort Royal being thus obtained, the enemy waited only till the batteries against them were completed, to capitulate. St. Pierre, the capital of the island, was still in the possession of the French, and from its natural and artificial means of defence, might have made a long resistance; but the enemy was intimidated, and as general Monekton was preparing to embark with his troops for the attack of the capital, the whole island surrendered by capitulation.

CHAP.
IV.
1762.

24th.

4th Feb.

12th.

THE capture of Martinico was speedily followed by all its dependencies; Grenada, and the Grenadines, Tobago, St. Lucie, and St. Vincent, immediately surrendered: and thus the whole property of the Charibbee Islands centered in Great Britain.

Capture of
Grenada,
&c.
4th Mar.

^r The thanks of parliament were voted to the commanders on this expedition. See debates, 6th May, 1762.

^s Beaufon's Naval and Military Memoirs, vol. iii. p. 149 to 164.

CHAP.

IV.

May.
The
French take
the town of
St. John's,
Newfound-
land:
24th June.

Which is
recaptur-
ed.

18th Sept.

War in
Portugal.

Rapid suc-
cess of the
Spaniards.

9th May.

To counterbalance these advantages, France made only one temporary conquest. A squadron under M. de Tournay escaped from Brest in a fog, sailed to Newfoundland, entered the Bay of Bulls, and captured the town of St. John's, where they took prisoners a company of soldiers who constituted the garrison, captured a sloop of war and several other vessels, destroyed many stages for curing cod, and did considerable damage. Orders were immediately issued for fitting out a squadron to reconquer this place, but the effect was anticipated by the vigilance of Sir Jeffery Amherst: he dispatched Lord Colville and colonel Amherst from Halifax, who immediately expelled the invaders.^c

WHEN Spain was induced to enter into the war, the project of a successful attack on Portugal, was a consolation for the losses she might expect to sustain in other quarters. Portugal appeared intirely helpless and distracted; the feebleness of its government, the effects of bigotry, the melancholy remains of a dangerous conspiracy, and the horrors of a recent earthquake, all contributed to render this unhappy kingdom an object of generous compassion, rather than of unprovoked aggression.

THE vicinity of the Spanish troops to the frontier, gave them great advantages: they passed the boundary before war was declared, and an army, commanded by the marquis de Sarria, laid siege to the town of Miranda. A powder magazine blew up by accident, and, besides destroying five hundred of the garrison, made such breaches in the wall, that the Spaniards marched in without difficulty, before they

^c Beatson's Naval and Military Memoirs, vol. iii. p. 204.

had raised their first battery. The city of Braganza surrendered without resistance: Moncorvo was taken with equal facility; and, on the approach of count O'Reilly, the city of Chaves was evacuated. Thus Spain over-ran almost the whole province of Tra los Montes, and Oporto was considered in so much danger, that the British admiral was preparing to carry off the factory. The Spanish army, however, in attempting to cross the Douro, were opposed by the peasantry, and compelled to retire to Torre de Moncorvo. "

CHAP.
IV.
1762.
15th.
24th.

A SECOND body of Spaniards entered the province of Beira, at the villages of Val de Mula and Val de Coelha, and being joined by strong detachments from the division in Tra los Montes, laid siege to Almeida, which, after an honourable resistance, capitulated on favourable terms.

25th July.
25th Aug.

THE troops which arrived from Great Britain for the succour of Portugal, were commanded by lord Tyrawley (who also acted as ambassador), the earl of Loudon, * lieutenant-general Townsend, and under them lord George Lenox, and brigadiers Crawford and Burgoyne. They amounted only to eight thousand, and were ill seconded by the Portuguese, who could not easily conquer their bigoted aversion to heretics. Lord Tyrawley, incensed at the apparent insincerity of the court of Lisbon, retired in disgust, declaring, without reserve, that the war between Spain

Arrival of
the British
troops.

* In this action the king of Spain accuses the Portuguese of having cruelly maimed and mutilated his subjects,—conduct which was afterwards severely revenged. See the king of Spain's manifesto, 25th June.

* The earl of Loudon, who was appointed second in command, attended the troops from England; lord Tyrawley had previously arrived.

and

CHAP.

IV.

1762.

and Portugal was a mere collusion to dupe the British government. Fortunately, at this period, the command of the Portuguese forces was given to the count de la Lippe Buckbourg, an active and intelligent officer, who had commanded the artillery of the British army in Westphalia during the present war, and was exempt from all participation in the feuds which occasioned the retreat of lord Tyrwley. The count and the earl of Loudon began their operations without delay, against a third detachment of Spaniards, who were preparing to enter Portugal.

General
Burgoyne
takes Va-
lencia.

27th Aug.

LARGE magazines of flour and forage were supposed to be collected at Valencia d'Alcantara, on the frontiers of Portugal. The attack of this town was entrusted to brigadier Burgoyne, who having collected a sufficient force, proceeded in the intention of surprising the place: in this he was disappointed, by not being able to make his approaches before daylight, but he carried the town by a vigorous coup de main, with inconsiderable loss, taking a Spanish major-general, upwards of twenty officers, fifty-nine foldiers, three pair of colours, and a great quantity of arms and ammunition. He levied a contribution amounting to the sum of the king's revenue for one year, in consideration of sparing the churches and convents, and brought away hostages for the care of the wounded, and the due payment of the stipulated sum.

Artillery
up the co-
ast to Villa
Velha.

THE army under the conde d'Aranda, having left garrisons in Almeida and Castel Rodrigo, marched to Castel Branco, forcing la Lippe to retreat, and intending to cross the Tagus at Villa Velha. It was of the utmost importance to counteract this attempt, and prevent

prevent their forcing a passage through the mountains. Count de St. Jago occupied the pass of Alvito, deemed impregnable, and Burgoyne was encamped on the southern bank of the Tagus, over against Villa Velha. The enemy placed six thousand men in front of the count St. Jago, attacked the old Moorish castle of Villa Velha on his right, and assaulted a post on his left at the defile of St. Simon. Burgoyne for some days protected the castle by his cannon across the river; but it was at length taken, St. Simon was reduced, and the enemy obtained possession of the passes of the mountains. Perceiving the danger in which St. Jago was placed by those successes, la Lippe ordered him to retire, and lord Loudon was directed to advance through the mountains to protect the retreat. The enemy penetrating into this intention, detached a strong body over the river Alvito, to harass lord Loudon's rear. This effort weakened their corps at Villa Velha so much, that Burgoyne was encouraged to attempt beating up their quarters: the enterprize was judiciously conceived, and boldly executed: colonel Lee passed the Tagus in the night, and while the Spaniards were amused by a feint in front, entered their encampment unperceived, and routed them with great slaughter; most of the Spanish officers were killed, the magazines destroyed, and some prisoners taken, besides a valuable booty. Notwithstanding this success, la Lippe found it impossible to defend the passes, and therefore assembled his forces at Macao; but the Spaniards, frustrated in all their endeavours to cross the Tagus, partly by the vigilance of la Lippe, and partly by the heavy rains, evacuated the province of Estremadura, where they could

1st Oct.

6th Oct.

Retreat of
the Spaniards.

CHAP.
IV.
1762.

could not maintain themselves during the winter. They dismounted the castle of Ameida, castle Roderigo, and castle Berri: and thus terminated a campaign, from which they derived neither honour nor advantage.

Expedition
against the
Havannah.

IN other quarters their ill-fortune was still more conspicuous. The British ministry determined, at the beginning of the war with Spain, to strike terror by vigorous and effectual operations: disdaining, therefore, all attempts at subordinate acquisition, they meditated a conquest of the greatest importance in itself, and the most extensive effect in its consequences, this was the reduction of the Havannah, the principal town of the island of Cuba, where the Spanish galleons and the flota assemble before they finally sail for Europe. The preparations

24th Mar.

were commensurate to the object: a considerable fleet sailed from Portsmouth, under the command of admiral Pococke, having on board ten thousand men, commanded by lord Albemarle, the friend and pupil of the duke of Cumberland. They were joined, off Cape

27th May.

Nicola, by part of the fleet which had been so successful in the operations against Martinico, under the command of Sir James Douglas. Thus united, they consisted of nineteen sail of the line, eighteen smaller ships of war, and near a hundred and fifty transports. To avoid the tediousness of the common voyage, the admiral resolved to explore a perilous way through the old straights of Bahamo, a narrow passage of near seven hundred miles in length, bounded on both sides by dangerous sands and shoals: his intrepidity and judicious conduct were rewarded with complete success; he made good his attempt without the slightest accident, and arrived before the Havannah.

5th June.

THOUGH

CHAP.

IV.

Difficulties
of the siege.
7th June.

THOUGH no immediate attack was expected, yet the town was of sufficient strength, both from art and nature, to make a vigorous resistance. By favour of a judicious feint, the troops were landed without loss or opposition. They were divided into two corps: one, under the command of general Elliott, advanced a considerable way into the country; the other, under general Keppel, was employed in besieging the Moro, a fort which commanded the town, and the entrance into the harbour. The difficulties attending this operation were deemed insurmountable. The earth was so thin that the besiegers could not cover their approaches without the assistance of bags of cotton, forming part of the cargo of some ships brought from Jamaica by Sir James Douglas. There was no spring or river in the vicinity; the supply of water from the country was precarious and scanty, and they were obliged principally to depend on the shipping. The labour of cutting roads for communication through the woods, and drawing the artillery was so excessive, that many dropped down dead with fatigue. But every thing yielded to vigorous perseverance; batteries were raised to assail the Moro and shipping; the Spaniards, fifteen thousand in number, were repulsed in a resolute sally; and three British men of war brought their guns to bear on the Moro. These efforts did not make the expected impression: the men of war sustained great injury from the fire of the fort; the capital battery, which was made of wood, took fire, and was totally consumed; half the army, and three thousand seamen, were ill from the effect of the climate, from fatigue and scarcity of provisions and water; the hurricane season was rapidly approaching, and a rein-

29th

3d July.

CHAP.

IV.

1762.

10th.

22d.

28th.

30th.

The Moro
formed.

reinforcement of four thousand men expected from North America, did not arrive. Still no murmur, no relaxation of exertion was observed in this army of heroes, and the seamen acted in cordial unison. A lodgment was at length made in the covered way; a body of twelve thousand men, who attempted to drive the besiegers from their works, was repulsed; part of the succours from America arrived; the mines were sprung; and the breach in the walls being deemed practicable, though difficult, orders were immediately given to storm the fort. This dangerous enterprize was hailed by the British as a termination of their labours; they mounted with intrepid gallantry, and, after a short but warm contest, drove the enemy from every part of the ramparts: they then formed with coolness and resolution; the Spaniards fled on all sides; four hundred were killed and drowned, and as many laid down their arms. The marquis de Gonzales, who was second in command, fell in making brave, but ineffectual efforts to rally the troops. Don Lewis de Velaico, the governor, to whose valour the long defence of the fort was principally due, collected a hundred men in an entrenchment which he formed round the colours, resolved to defend them to the last extremity. He saw his little band slaughtered or dispersed, and was himself killed by a random shot, while offering his sword to the victors. The humanity which ever attends true courage, sympathized in this deplorable catastrophe of a high spirited enemy.

Capture of
the town.
2d. Aug.

10th.

THE Moro being thus reduced, and a second division of the troops from America arrived, new works were begun for the attack of the town. Lord Albemarle summoned the governor

governor

governor to surrender, but being answered by a civil though firm refusal, opened his batteries with such effect, that flags of truce soon appeared on every side. A capitulation was entered into, by which the Havannah, with a district of a hundred and eighty miles westward, was ceded to the conquerors. The fleet, which also fell into the power of England, consisted of nine ships of the line, and four frigates; and the treasure in ready money, tobacco, and other valuable merchandize, belonging to the king of Spain, was estimated at three millions sterling. The garrison, reduced to seven hundred, was allowed the honours of war, and a safe conveyance to Spain.⁷

CHAP.
IV.
1762.

In another quarter of the globe, the Spanish wealth was exposed to an attack no less hazardous and successful than that of the Havannah. An expedition was dispatched from Madras against Luconia, the principal of the Philippine Isles. The land troops, composed chiefly of Indians, consisted of two thousand three hundred men, under the command of brigadier-general Draper; the naval force of eleven ships, forming part of admiral Cornish's squadron. The troops effected a landing without loss, though not without opposition, and commenced vigorous operations against the town. Their strength was inadequate to the extent of the enterprize; but their gallantry made amends for every deficiency, and in spite of a violent storm, which threatened destruction to the fleet, they completed their batteries, finished a parallel and communication, and established a place of arms. A strong body of Indians in the service of the garrison,

Expedition
against the
Philippine
Isles.

24th Sept.

1st and 2d
October.

4th.

⁷ Beaufen's Naval and Military Memoirs, vol. iii. p. 170.

CHAP.

IV.

1762.

6th Oct.

Capture of
Manilla.

made a sally, and fought with incredible ferocity; they were repulsed by the steady valour of the besiegers, and many died, gnawing, like wild beasts, the bayonets with which they were transfixed. A breach was at length effected, and the garrison, instead of endeavouring to repair the works, resigned to a fullen despair, awaited the event. No proposal to capitulate being made, the town was successfully stormed, and for some hours unavoidably exposed to the licentiousness of the military. The archbishop and governor, with the magistrates, retired into the citadel, which, being in no condition of defence, they were soon obliged to surrender at discretion; a capitulation was, after some objections, agreed to, by which the town of Manilla and port of Cavite, with several ships and a large quantity of military stores, were surrendered to the king, and four millions of dollars covenanted to be paid as a ransom for the private property in the town. This important conquest was achieved with little loss.^z

Capture of
the Santis-
sima Trini-
dad.

30th.

IN consequence of information contained in some letters, which fell into the hands of the victors, captains Parker and King, in the Panther, a ship of the line, and the Argo frigate, were dispatched to intercept the galleon Philippina. Instead of the expected prize, they captured the Santissima Trinidad Acapulco ship, with a cargo valued at three millions of dollars.

Capture of
the Her-
mione.

THESE important conquests, by which the resources of Spain were effectually destroyed in less than ten months after the declaration of war, left her in no condition to attempt retrieving the affairs of France. Even the hope

^z Beatson's Naval and Military Memoirs, vol. iii. p. 131.

of an immediate supply of specie was frustrated early in the contest by the capture of the *Hermione*, a register sloop, bound from Lima to Cadiz. This vessel was taken off Cape St. Vincent by two frigates, and contained treasure and valuable effects to the amount of a million sterling.

CHAP.

IV.

1762.

21st May.

THE only attempt against Spain which failed, was a joint expedition planned by Great Britain and Portugal to attack the colony of Buenos Ayres. A fleet consisting of three frigates, besides small armed vessels and store ships, sailed from the Tagus, carrying with them five hundred soldiers, under the command of captain Macnamara. They reached the river Plata without difficulty; but were assailed by a dreadful storm, accompanied by thunder and lightning, and greatly embarrassed by not knowing the landings. The Spaniards were not only prepared to receive the assailants, but had acted with advantage on the offensive, by possessing themselves of a Portuguese settlement called Nova Colonia. The recovery of this place was first attempted: they engaged an English pilot, acquainted with the river and coast, who undertook to carry the commodore's ship within pistol-shot of the principal fort. After a vigorous cannonade, which lasted four hours, the enemy's batteries were nearly silenced, and the British expected to reap the fruits of their valour, when the commodore's ship was discovered to be on fire: the flames raged with unconquerable violence, and the distress was augmented by a renewal of the enemy's cannonade: the other vessels, for their own safety, were obliged to keep too great a distance to afford succour: and, finally, of three hundred and forty men, only seventy-

Unsuccessful expedition against Buenos Ayres.
30th Aug.

2d Nov.

21st Jan.
1763.

CHAP. eight escaped the flames and the sea : the com-
IV. modore was drowned. The other vessels, reduc-
1762. ed almost to wrecks by the enemy's shot, with
difficulty reached the Portuguese settlement at
Rio Janeiro. The Spaniards, with charac-
teristic gallantry and humanity, succoured and
relieved the unfortunate men who were driven
on shore, forgot their enmity in their misfor-
tune, and treated them rather like brethren
than foes.

CHAPTER THE FIFTH:

1762—1763.

Birth of the prince of Wales.—Address from the city of London.—Negotiations for peace.—State of the public mind.—Honours conferred on lord Bute.—Changes in the ministry.—Proceedings in the city of London.—Beckford made lord mayor.—Progress of the treaty for peace.—Preliminaries signed.—Examination of the terms.—Objections, and observations.—Discussion of the preliminaries in parliament.—Definitive treaty signed.—General pacification.

THERE are periods in the history of nations, as in the lives of individuals, when, by a concurrence of fortunate events, every desire seems gratified, and no reflection occurs to restrain an unbounded hilarity: short and unfrequent are such periods, but ever remembered with delight, and recorded with exultation. The birth of the prince of Wales, gave the greatest satisfaction to the inhabitants of the British metropolis, who justly looked up to a perpetuation of the Brunswick line, as the most favourable pledge which Providence could afford, that their religion and liberties would be fixed on an immutable basis. While the cannon which announced the joyous event yet sounded, the public were further gratified by the arrival of the treasure captured in the *Hermione*, which in stately procession moved before the palace in its progress to the tower. The king and principal nobility appeared at the windows of the royal abode, and crowned the raptures of the people on two such felicitous

CHAP.

V.

1762.

Birth of the prince of Wales.

12th Aug.

CHAP. V. circumstances, by joining heartily in their acclamations.

1762.
City address.

A LOYAL and dutiful address was presented by the city of London, in which it was not forgotten that the auspicious day of the prince's birth was sacred to liberty and these kingdoms, in having given the present illustrious family to the throne. Similar addresses were presented from all parts of the kingdom.

Negotiation for peace.

THE glorious successes of the war had no power to divert the minister's attention from the great object of peace: he was anxious to resume the negotiations, and for that purpose engaged the king of Sardinia, as a neutral power, to propose to the court of France a termination of hostilities. These proposals could not be disagreeable to the French nation, enfeebled and despondent as they were, and convinced, by the experience of a most active campaign, that the union of Spain far from bringing with it the assistance and relief they had fondly hoped, was in fact a dangerous association, or at best a lifeless incumbrance.

30th Aug. To prevent the effects which might arise from interested speculations, the minister sent notice to the lord mayor of his intention to open a negotiation for peace. The duke of Bedford was deputed from England as minister plenipotentiary, and the duc de Nivernois from France.^a The final adjustment of the

5th Sept.

12th.

^a The duc de Nivernois is thus described by the chevalier d'Eon, who attended him on this embassy: "Ce seigneur qui, dans toutes ces ambassades, a toujours paru, comme Anacréon, couronné de myrthes & de roses, & chantant les plaisirs au sein de ses infirmités & des plus pénibles travaux, seroit un des plus grands ministres de la France, si à la bonté, à l'élevation de son cœur, à la sublimité de son génie & des ses talents, il joignoit autant de fermeté que de délicatesse dans l'esprit. Le seul petit défaut qui j'aie remarqué dans M. le duc de Nivernois, est la coquetterie de plaire à tout le monde. Coquetterie! qui nous fait souvent plus d'ennemis que de vrais amis." See *Lettres, Mémoires, &c.* du Chevalier d'Eon, Discours préliminaire, p. 5.

objects of treaty was reserved to lord Bute and the earl of Egremont in England, and M. de Choiseul in Paris; their medium of communication being through the comte de Viri, the Sardinian minister in London, and the Bailli de Solare, minister from the same court in France. ^b

EVERY reasonable purpose which could be hoped from war, was now abundantly gratified; and yet the public was not cordially disposed to hail the return of peace. The constant succession of important conquests and brilliant victories, inspired exaggerated notions of our martial prowess, and hopes of extending the colonial acquisitions, no less absurd than extravagant. Many persons in power, and a strong party in opposition, could not endure that lord Bute should enjoy the honour of making a popular peace, and every effort was tried to excite disgust against the measure.

The public
averse to
peace.

LORD BUTE seemed to rise in the king's good opinion, and had the disposal of all honours and dignities in the state. Besides his appointment to the rangerhip of Richmond Park, he was installed a knight of the Garter; an honour which was greatly enhanced by the association of the duke of York, brother to the king, in the same ceremony. Yet lord Bute could not succeed in inspiring personal friendship; his benefits were received without gratitude, and his omission to gratify every interested application produced fullen dissatisfaction, or open opposition. ^c

Honours
conferred
on lord
Bute.

AFTER

^b From private information.

^c In answer to an angry remonstrance, occasioned by his having omitted to provide for a dependant of lord Melcombe, lord Bute thus expressed himself: "In short, my lord, though I cannot prevent

CHAP.

V.

1762.
Dismissal
of the duke
of Devon-
shire.

31st Oct.

Other re-
signations :

And
changes.

5th June.

10th to
16th Oct.

AFTER the resignation of the duke of Newcastle, the disunion of the ministry became daily more apparent. The duke of Devonshire, during the negotiation for peace, absented himself from the council board, and when summoned, refused to attend; in consequence of which he was dismissed from the office of lord chamberlain; and the king, with his own hand, struck his name from the list of privy counsellors. This dismissal produced the resignation of lord George Cavendish, comptroller of the household, and lord Besborough joint post master-general. Several noblemen and members of distinction, openly disclaimed all connection with the minister, and an opposition was forming, of great extent and influence, headed by the duke of Cumberland.^a

THE force of the ministry was respectable, but not proportioned to this weight of opposition. The death of lord Anson created a vacancy at the head of the admiralty, which was filled by lord Halifax. This nobleman had acquitted himself with distinguished propriety as lord lieutenant of Ireland, and the situation of first lord of the admiralty was bestowed as best suited to his merits and talents; but he was desirous to obtain the place of secretary of state. An exchange was therefore arranged with Mr.

umbrage being taken at my not satisfying every wish, I shall certainly hinder any reasonable grounds of complaint concerning things I have once promised; I own, and without blushing, I have been very unfortunate in the means I have for years taken of cementing friendship, and procuring attachments; others, with much less trouble, perhaps without my sincerity, succeed better: but I repine not, conscious of my own feelings, conscious of deserving better treatment. I shall go on, though single and alone, to serve my king and country, in the best manner my poor talents will allow me, happy, too happy, when the heavy burthen that I bear shall be removed, and placed on other shoulders."

^a See lord Oxford's Works, vol. v. p. 24.

Grenville; Mr. Fox, who still retained the situation of paymaster of the forces, was destined to lead the house of commons.

CHAP.
V.
1762.

THE mere proposal of peace on any terms was odious to the city of London. The protection afforded to trade by a successful maritime war, prevented their feeling the burthens which oppressed the rest of the nation: the money expended by government gave alacrity to mercantile exertion, and was mistaken by the interested and superficial for an increase of beneficial commerce.* During the negotiation of last year, the city had instructed their representatives to oppose any peace in which the whole, or the greater part, of the conquests made by Great Britain should not be retained. The arrogance of one city thus presuming to lay down a rule of war and peace for the whole nation, is not less remarkable than the wildness and absurdity of the terms they attempted to dictate.† If such were the sentiments of the city during the last negotiation, the brilliant transactions of the present campaign did not induce them to moderate their pretensions, or to assume a more humble tone. The capture of the Havannah produced the most absurd expectations; and while they attributed all the success of the war to Mr. Pitt, they considered the proposal of peace as a base dereliction

Conduct of
the city of
London.

* The Political Conduct of the earl of Chatham, p. 12.

† Their instructions on this head are in these words: "That you entertain just sentiments of the importance of the conquests made this war by the British arms, at the expence of much blood and treasure; and that you will, to the utmost of your power and abilities, oppose all attempts for giving up such places as may tend to lessen our present security, or by restoring the naval power of France, render us subject to fresh hostilities from that natural enemy; particularly, that the sole and exclusive right of our acquisitions in North America and the fisheries be preserved to us." Lord Orford's Works, vol. v, p. 86.

CHAP.

V.

1762.

Beckford
made lord
mayor.

28th Sept.

Progress of
the treaty
for peace.

tion of his plan, and a sacrifice of the national honour to the safety of the minister, or, as he was invidiously termed, the favourite.

Mr. PITT was not unmindful of these appearances; he saw that, by securing a strong party in the city, he should best be able to make a separate opposition, and harraßs the ministry. The appointment of the new lord mayor appeared an object of importance. Alderman Beckford was fixed on for this office: he was a native of Jamaica, of a haughty and turbulent disposition; but respected from the independence of his character, and the incorruptibility resulting from unlimited wealth, and popular from his devoted adherence to Mr. Pitt. On the day before his appointment, he attended the common council, requesting to resign his gown; but the court postponed the consideration of his demand, and elected him mayor.

TILL the meeting of parliament no effectual opposition could be made, but innumerable pamphlets, and every other species of publication, conceived in the most malignant spirit of virulence, and containing the most atrocious, and even treasonable suggestions, were profusely circulated.

THE negotiation was proceeding at this time with a rapidity and harmony which gave certain promise of ultimate success. By prudently dismissing from consideration all matters relating to Germany, not immediately affecting the interests of the contracting powers, much of the jealousy which had prevailed during the late treaty was dispelled, and the progress of accommodation facilitated.

The greatest obstacle to its completion arose from the triumphs of the British arms, which inflamed the pride and cupidity of the people, and, by making the situation of the enemy appear more desperate, encouraged them to insist on retaining more than justice or sound policy required. The ministry were by these means reduced to an awkward dilemma: if they pretended to retain their recent acquisitions they could not hope for a peace, but merely for an insincere and sullen truce; if they gave them up, not only the efforts of the preceding administration, but their own exertions and the expences of the current year, would be alledged as a crime.

PRELIMINARY articles were at length signed. In the examination of these it would be easy to prove, from the course of succeeding events, that the British ministry retained too great a portion of their conquests; but it is most candid to survey the transaction as it must have appeared at the time, and to judge of the peace-makers by the actual knowledge which they might possess, and on which they could safely and consistently act, without abandoning themselves to speculation, and measures of contingent and remote advantage. It may, however, be proper to premise, that independently of the common motives of humanity, which ought never to lose their influence in the affairs of nations, — independently of fiscal considerations, which weighed with great force at that period; the want of men began to be severely felt. The state of Europe prevented the engaging of foreign mercenaries in the separate cause of Britain; and the numerous expeditions in which the military and naval force of the country was diluted, exhausted the

CHAP.

V.

1762.

3d Nov.
Preliminary
articles signed.

CHAP.

V.

1762.

the strength of the nation. The bounties to recruits were grown to an unexampled height, and it was supposed that neither interest nor compulsion could have procured men for another extensive expedition. The unhealthy situations in which the soldiers and sailors were placed by the progress of hostile operations, demanded continual supplies; every fresh conquest increased the evil, and far from producing means to defray, augmented the expences of the war, and proved disadvantageous and burthenfome. To retain too great a portion of these conquests would have perpetuated the evil, and finished in peace the depopulation begun by war.

Examina-
tion of the
restitutions.
In Europe.

IN Europe there was not much to arrange^h. Minorca was restored, together with all countries belonging to the elector of Hanover, the Landgrave of Hesse, the duke of Brunswick, and the count de la Lippe. Cleves, Wesel, Gueldres, and all the territories belonging to the king of Prussia, were to be evacuated, and the fortifications of Dunkirk demolished. The troops of France and Spain were to retire from all places which they occupied in Europe belonging the king of Portugal. Great Britain agreed to restore Belleisle.ⁱ

SEVERAL objections were urged against this arrangement. It was alleged that Belleisle was more than equivalent to Minorca; but the fullest answer to this was given in the former negotiation, when the French minister said, "Keep Belleisle then, and we will retain Minorca."^k Some objections were taken to the

^h This examination of restitutions is founded on the articles of the definitive treaty.

ⁱ See definitive treaty, articles 8, 12, 13, 14, 15, 21.

^k See Historical Memoir of the court of France, No. xxii.

dereliction of the king of Prussia's interests; but no complaint could be more destitute of foundation. The reduction of his opponents, and the auspicious events of the campaign, had rendered him an object of terror rather than pity, and the balance of power was now endangered by his preponderance, much more than by any efforts towards his political annihilation. Applying to Prussia the observation made by Mr. Pitt in the debate on the supply to Portugal, the minister might have said, "We did not mean to bear Prussia on our shoulders, but only to set him on his legs, and put a sword in his hand."¹ This was now effectually performed; and if, as lord Bute was afterwards reported to have suggested, the countries evacuated were to be *scrambled for*, no power but Prussia could derive advantage from the *scramble*.^m

IN Asia the enemy had little to relinquish; In Asia, it remained therefore only to fix on such cessions as might effectually establish the peace and security of India. Great Britain stipulated to restore the factories which France possessed on the coast of Coromandel, Orissa, and Malabar, and in Bengal, at the beginning of the year 1749; and the French king renounced all pretensions to conquests made since that period. He further agreed to give up Nattal and Tapanouilly in the island of Sumatra, and to acknowledge Mahommed Ali Khan, Nabob of the Carnatic, and Salabat Sing lawful Subah of the Decan. As Luconia was not expressly mentioned in the treaty, it was understood to be relinquished.ⁿ

¹ See Debrett's Debates, vol. iv. p. 94.

^m Life of lord Chatham, vol. i. p. 401, n.

ⁿ See definitive treaty, articles 11 and 23.

CHAP.

V.

1762.

IF the scale of compensation alone should be considered, the enemy had much the advantage in this part of the treaty; but if that principle had been rigidly adhered to, no treaty could have taken place; on the contrary, they must in general have received such terms as Great Britain chose to impose: but if the real welfare and prosperity of the British Empire alone was in contemplation, that was abundantly and sagaciously provided for. The assumption of the intire power and commerce of India was not yet within the reach of Great Britain: to maintain the possessions she held before the war, with the influence which success enabled her to assume over the native powers, was all that could reasonably be demanded; and this was amply secured.

In Africa.

AFRICA presented few objects of contention, and these were amicably and easily adjusted: Great Britain, in pursuance of the proposal made by France in the negotiation of last year,^o retained the factories and rivers of Senegal, and gave up Goree.^p

On this subject it has been remarked, that lord Bute ceded more than Mr. Pitt would have agreed to; and that Goree ought to have been retained, since France had declared that the one was essentially connected with the other. But in fact neither of them was very desirable, except as a source of commerce. Of the African trade Great Britain had sufficient; and by the possession of Senegal, was enabled so to impede the effectual prosecution of it by the French, that from Goree and all their other territories in Africa, they did not after-

^o See the Historical Memorial of France, No. xvii.

^p See definitive treaty, article 10.

wards obtain annually more than three or four hundred slaves. ^a **CHAP.**

AMERICA, the primary cause of the war, and the great scene of conquest, afforded the most ample grounds of concession, restitution, and discussion. These objects may be divided into three heads: the continent, the West India Islands, and the fisheries.

V.
1762.
In America.

ON the continent, France, after unequivocally resigning all pretensions to Nova Scotia, or Acadia, ceded and guaranteed to Great Britain, in full right, Canada, with all its dependencies, together with Cape Breton, and all other islands in the gulph and river of St. Lawrence, reserving to the Roman Catholics the right of exercising their religion, and leave to quit the country within a limited time. The boundaries were so clearly and expressly defined, as to prevent the possibility of dispute, and so advantageously, that much of the territory of Louisiana, in which France had hitherto maintained a disputed possession, was relinquished without reserve. Spain yielded Florida, and all other possessions on the continent of North America to the east or to the south-east of the river Mississippi^r. And thus the British empire was consolidated in this quarter of the globe.

FRANCE and Spain received compensation for these cessions in the West India Islands. Great Britain restored to France Guadaloupe, Marie Galante, Desirade, Martinique, and St. Lucie; retaining Grenada and the Grenadines, St. Vincent's, Dominica, and Tobago. To Spain, Great Britain ceded all the territory conquered in the island of Cuba, with the for-

^a Raynal's History of the East and West Indies, vol. v, p. 229.

^r See definitive treaty, articles 4, 7, 20.

CHAP. tress of the Havannah, and all other fortresses
V. in the island.*

1762.

AGAINST these articles many objections were raised: It was alleged that, although the cessions on the continent were ample and honourable, yet the benefits to be derived from them were remote and contingent, the commerce scanty, and the return distant; that as an indemnity for the expences of the war, Martinique, Guadaloupe, St. Lucie, or some other important island, should have been preserved, which would have opened a valuable and important source of commerce, and contributed, by a rapid circulation, to give energy to trade and vigour to industry. It was asserted, that by permitting France to resume these possessions, we afforded her the means of speedily repairing all the losses occasioned by the war, and of restoring her trade and marine in all their former splendor. These arguments are, in part, true; but the application of them erroneous: if generally adopted, they would reduce war between nations to a mere piracy; the pretence that what had been acquired would be advantageous either to the conqueror or the enemy, could never be wanting; peace could only be hoped from unconditional submission, and war must ever be continued to extermination. It is even doubtful whether permanent advantages would accrue to Great Britain from the possession of these colonies: those which were retained languished for want of cultivation, and became the causes of litigation between the sovereign and the subject, rather than productive of immediate benefit to the country.† The system pur-

* See definitive treaty, articles 8, 9, 19.

† See Bryan Edwards' History of the British Colonies in the West Indies, book iii. c. 2 and 3.

sued by some merchants and proprietors of land, since the capture of Guadaloupe, influenced them to make a clamorous demand that it should be retained: they had overstocked the market with goods, sold them at a long credit, and made the island, in other respects, an exception to the rule of West India commerce; they had, in fact, so much improved the resources of the colony, that it might perhaps have been advantageous to Great Britain to have maintained the possession.^u But the case was far different with Martinique: the contraband trade with the Spanish coasts was almost intirely lost. The cession of Louisiana and Canada had precluded all hopes of again opening a communication; and the value of the restitution was diminished by the loss of the produce of the Grenades, St. Vincent, and Dominica, which was formerly brought into their harbours.* St. Lucie might possibly have produced more advantage; but that was the only neutral island possessed by France, and policy appeared to dictate that the task of keeping the Carribbs in subjection, should in part devolve on them.

WITH respect to the fishery: France was permitted to catch and dry fish on part of the coast of Newfoundland, and to fish in the gulph of St. Lawrence, on condition of not approaching within three leagues of the shore; on the other coasts of the island of Cape Breton, they were suffered to fish at the distance of fifteen leagues from the shore; and the fishery on the coasts of Nova Scotia and Acadia, was left on the same footing as in other

^u See Raynal's History of the East and West Indies, vol. vi. p. 104.

* Idem, p. 26.

CHAP.

V.

1762.

treaties. The isles of St. Pierre and Miquelon were ceded to France, but expressly to serve as a shelter to fishermen; they covenanting to erect no buildings, except for the convenience of fishery, and to keep on them a guard of fifty men, only for the police. The king of Spain waved all pretensions to any right existing in himself or the Guipuscoans, or any other of his subjects, to fish in the neighbourhood of Newfoundland.^y

In objecting to these particulars of the treaty, it was assumed as a principle that this country ought to monopolize all the fisheries, for the purpose of preventing France from ever re-establishing her naval power, and of augmenting our own. The want of justice in such an objection is easily perceptible, and its want of true policy is no less certain. The fair end of peace is security and social intercourse: but it is too much to presume that those objects are only attainable by crippling and plundering those with whom we treat: peace is more endangered by the indignant feelings of another nation, excited by severe terms, and by a jealousy of disproportionate aggrandizement, than by the hope which can be entertained of making war with advantage, when the strength of both parties is nearly equal. The concessions in regard to the fisheries had no tendency to increase the naval power of France in any formidable degree: an establishment where fifty soldiers are sufficient for the police, and where the rival nation is restrained from fishing within nine or forty-five miles of the shore, can occasion no well grounded alarm, or prudent jealousy.

^y See definitive treaty, articles 5, 6, 18.

THE disputes with Spain respecting prizes, were referred to the British court of admiralty. And it was agreed that the fortifications erected in the Bay of Honduras should be demolished; the king of Spain consenting that the British subjects, or their workmen, should not be molested in loading, cutting, and carrying away logwood, but might build and occupy, without interruption, the houses and magazines necessary for them, their families, and effects.²

SUCH were the terms of peace procured by the conquests of Great Britain. If the people were ever induced to expect a complete indemnification for the expences of the war, or any considerable diminution of their burthens, from the terms of a treaty, they who deceived them were alone responsible for the effects of the delusion. No war should ever be protracted a day beyond the period which offers a secure and honourable peace; for conquest can no more restore the funds dissipated by war, than peace can give life to those who have fallen victims in the contest.

THE peace of 1762 was wise and just, because it so clearly ascertained points in dispute, as to leave no pretence for future litigation; because it destroyed every pretence for charging the British nation with rapacity, and an overbearing spirit; and because the moderation of the terms tended to obviate every ungracious sentiment, which a successful and protracted war might have generated in the bosoms of our opponents. With all the advantages gained by Great Britain, more important cessions might doubtless have been obtained from

² See definitive treaty, articles 16, 17.

CHAP.
V.
1762.

France and Spain; but in every view of the subject, the conditions seem to have been judiciously and prudently arranged, and the termination of the contest was no less advantageous than honourable to Great Britain.

25th Nov.
Meeting of
Parliament

WHEN the parliament assembled, the king in his speech adverted to the circumstances of the war during the last year, and spoke with becoming animation in praise of the glorious achievements of his forces, both by sea and land. He bore honourable testimony to the unwearied perseverance, and unparelled bravery of the officers and privates in the military, as well as naval service; and said, that next to the assistance of Almighty God, it was owing to their conduct and courage that the enemy had been brought to accept of terms, which, he hoped, would give intire satisfaction to parliament. His majesty lamented that, notwithstanding the conclusion of hostilities, the expences could not be so speedily and effectually lessened as he desired: And concluded by observing, that we could never have carried on this extensive war without the greatest union at home; that the same union would be necessary in order to make the best use of the important advantages acquired at the peace, and to lay the foundation of that economy, which could alone relieve the nation from the heavy burthens brought on by a long and expensive contest.

29th.
Preliminaries of peace
discussed.

7th Dec.

THE preliminaries of peace were laid before both houses; but the opposition was not proportioned, either in ability or numbers, to the expectation which had been raised. In the house of peers, on the motion for an address, many objections were made, and some severe reflections thrown out against the earl of Bute,

with

with appearances of heat and animosity. That nobleman defended his own conduct, with temper and decorum, in a well connected speech, delivered with great propriety, to the surprize of many, who did not think him so well qualified in the art and faculty of elocution. He gave a detail of the negotiation, and not only avowed himself a warm promoter of the peace, but even expressed a desire that his having contributed to the cessation of hostilities, should be engraved on his tomb. He was seconded by the earl of Halifax, and supported by a great majority.^a

CHAP.
V.
1762.

IN the house of commons, Mr. Fox principally defended the peace; and Mr. Pitt, though in a state of extreme pain and weakness from the gout, attended, to lay before parliament his objections to the preliminaries. His speech lasted three hours; it embraced every topic of objection, and was expressed in glowing language. He declared, although he was at that instant suffering under the most excruciating torture, yet he determined at the hazard of his life to attend this day, to raise up his voice, his hand, and his arm, against the preliminary articles of a treaty which obscured all the glories of the war, surrendered the dearest interests of the nation, and sacrificed the public faith by abandoning our allies. He first challenged the ministry to compare the present treaty with the terms he could have obtained from Bussy; but that producing no reply, he proceeded to

9th Dec.

^a Smollett's complete History of England, vol. xvi. p. 161. No traces of this debate are preserved in Debrett's Collection. Lord Bute did not often speak in parliament: his delivery was very slow and solemn; in allusion to which Charles Townsend, during a speech which lord Bute made on the subject of the cyder tax, humorously exclaimed, "*minute guns.*"

CHAP.

V.

3762.

analyze every part of the stipulations, which he stigmatized, in general, with unqualified censure. The only particulars which met his approbation, were the dereliction of North America by the French, and the restitution of Minorca. He expatiated at great length on the German connection; and affirmed that the desertion of the king of Prussia, the most magnanimous ally this country ever had, was infidious, tricking, base, and treacherous. In conclusion, he said the terms of the proposed treaty met his most hearty disapprobation: he saw in them the seeds of a future war. The peace was insecure, because it restored the enemy to her former greatness: the peace was inadequate, because the places retained were no equivalent for the places surrendered.

THESE observations made greater impression, and were productive of more general effect, from the circumstances under which they were delivered. Mr. Pitt was so feeble at the beginning of his harangue, that he was supported by two of his friends: during its progress his pain increasing, he was allowed the unprecedented indulgence of delivering his sentiments sitting: towards the conclusion his strength intirely failed, his voice became indistinct, and he was obliged to omit the remarks which he was prepared to make on the articles relating to Spain.

THE arguments of Mr. Pitt were combated by general considerations of policy, and discussions of the value of the ceded conquests; which it was truly affirmed, was greatly diminished by the privation of those retained. On a division, the motion for the address was carried by a great majority.^b

^b 319 to 65.

No other business of importance was brought before parliament till after the recess. CHAP. V.

IN consequence of the execution of the preliminaries, a cessation of arms had been proclaimed, and passports were issued for merchants desiring to trade to any part of France. The definitive treaty was, in due time, ratified, and peace established.^c

WHEN the belligerent powers on the continent saw Great Britain and France seriously disposed to effect a pacification, they became convinced of the propriety of desisting from further operations. A proposal of the imperial court for a congress was readily acceded to by the king of Prussia. It was held at Hubertsburg; and, after some previous discussions, a treaty was arranged between Austria, Prussia, Saxony, and Poland, which restored the peace of Europe. By this treaty few points of great importance were regulated, and no extension of territory was acquired by any of the contracting parties.^d

21st.
Definitive
treaty signed.

1st Dec.
7th.
10th Feb.
1763.

The other
powers
make
peace.

31st Dec.
1762.

15th Feb.
1763.

^c Much of the opposition which this treaty encountered in parliament, was the mere result of party spirit; as I am informed, from indubitable authority, that several eminent statesmen were known to express high approbation of it in private, though they decried it in public. The terms were, on the whole, more judicious, and really more advantageous, than those which, in the preceding year, were demanded by Mr. Pitt. The opinion of an individual, however eminent, cannot decide such an extensive and important question; but the following anecdote, related by Wood in his preface to the Essay on the Original Genius and Writings of Homer, is deserving of attention: "Being directed to wait on lord Granville," he says, "a few days before he died, with the preliminary articles of the Treaty of Paris, I found him so languid, that I proposed postponing my business for another time, but he insisted that I should stay, saying, it could not prolong his life to regret his any. He then desired to hear the treaty read, to which he listened with great attention, and recovered spirits enough to declare the approbation of a dying statesman, (I use his own words) on the most glorious war, and the most honourable peace, this nation ever saw."

^d *Cœuvres du Roi de Prusse*, vol. iv. p. 139, 149.

CHAPTER THE SIXTH:

1763.

Formation of opposition.—Proceedings in parliament.—Cyder tax.—Petitions of the city of London—and other places.—Relief granted to the Americans.—Resignation of lord Bute.—His character.—Virulence of political publications.—The North Briton.—General warrants issued.—Wilkes arrested and committed to the Tower.—Proceedings thereon.—He is discharged—and deprived of his commission.—Lord Temple dismissed.—Wilkes's intemperate proceedings.—Death of lord Egremont.—Negotiation with Mr. Pitt.—Duke of Bedford's ministry.—Wilkes publishes sundry libels—and goes to France.

CHAP.

VI.

1763.

Formation
of opposi-
tion.

THE inefficient opposition made to the addresses on peace, shewed plainly that, without general concord, the various parties disposed to thwart the measures of government, would be frustrated in every attempt. Some still entertained hopes of regaining a share of power, by not displaying an open opposition to the ministers; and, therefore, when the debate was expected, feigned sickness, quitted the metropolis, or absented themselves from the house without assigning a reason.^a It was therefore necessary to unite all the discordant members of the minority by a general coalition, if they hoped to make an effectual attack on the power of lord Bute. The effect of the objections to

^a History of the late Minority, p. 83.

the peace promised no inconsiderable success: the counties of York and Surrey refused to present addresses; and it was said that those which were sent from all quarters of the kingdom, were not procured without much address and great difficulty.^b

CHAP.
VI.
1763.

THE coalition was consolidated at the house of the duke of Newcastle^c; and their resistance of every effort to divide them, convinced the minister that their union would, in time, be fatal to his ascendancy.

March.

PARLIAMENT had resumed its sittings before this coalition was formed; but no business of importance claimed their attention, till the supplies for the current year were submitted to the house of commons. The sum to be raised by loan was three millions and a half. In this moderate financial exertion, the ministry were exposed to virulent censure. It was alleged that they privately disposed of the loan, which in a few days rose to eleven per cent. premium; and thus, at the expence of the public, gratified their own creatures with benefits to the amount of three hundred and fifty thousand pounds.^d General objections, however, would have produced little effect beyond the passing moment, had not a more specious object of attack presented itself

20th Jan.
Meeting of
Parliament.

8th Mar.

^b The city of London presented a tardy and reluctant address (May 12th) but the lord mayor did not attend with it at St. James's, and the bells of several parishes were muffled during the procession.

^c The party is stated to have consisted of the following persons: the dukes of Devonshire, Bolton, and Portland; marquis of Rockingham; earls Temple, Cornwallis, Albemarle, Aiburnham, Hardwicke, and Besborough; lords Spencer, Soudes, Grantham, and Villiers; Mr. Pitt, Mr. J. Grenville, and Sir George Savile. History of the late Ministry, p. 89 to 93.

^d See Mr. Legge's speeches in the debates. North Briton. History of the late Ministry, p. 107.

CHAP.

VI.

1763.

Cyder tax.

in one of the modes of supply: this was the act for imposing a tax on perry and cyder.

THE minister at first intended to lay a duty of ten shillings per hoghead on the liquor sold by retail, confining the tax to the victualler: the next project was to lay the same assessment on the first buyer. Neither of these proposals was agreeable to the country gentlemen, and therefore the mode was altered to an imposition of four shillings per hoghead on the grower; and the regulations of the excise were extended to the collection of this duty.

Objections.

AGAINST this system it was not difficult to raise a loud and diffusive clamour. The same arguments and efforts which in 1733 had nearly driven Walpole from the helm, could not fail of being again employed. In the house of commons Mr. Pitt, as the leader of opposition, detailed the accustomed topics, inveighed against the admission of excise officers into private dwellings, and, adverting to the excellent maxim that every man's house is his castle, deprecated the extension of excise laws to individuals, who, by their birth, education, and professions, were intirely distinct from the trader. A petition was presented from the city of London, but without effect, and the bill finally passed. In the lords it met with equal opposition: forty-nine peers divided against it, and two protests, each signed by three peers, were entered on the journals. These protests were couched in strong terms; and the transaction is rendered more remarkable from the un-

23th and
20th Mar.

* Debrett's Debates, vol. iv. p. 131.

† Not only to the commons, but to the lords, and the throne.

precedented fact, that the house of lords divided on a money bill.

CHAP.
VI.

1762.

It was a capital error in lord Bute's administration, to persevere in a measure which gave so much dissatisfaction, and afforded easy means of extending the influence of opposition. Not the city of London alone, but those of Exeter and Worcester, the counties of Devon and Hereford, and several other towns and places, instructed their representatives to resist the tax, sent letters of thanks to those who had distinguished themselves in opposition; formed associations, and even entered into combinations, to let their apples rot under the trees, rather than make them into cyder, subject to such impositions. In a word, no public measure since the excise act proposed by Sir Robert Walpole, had excited so great a ferment in the nation. Prudence should have dictated to lord Bute an imitation of Walpole: he saw he could neither stem the popular torrent, nor mitigate its fury, and should have withdrawn himself from its effects, by renouncing the obnoxious measure. *

BESIDES the determined efforts of a preconcerted opposition, and the general invectives against the extension of the excise laws, many specious reasonings were adduced against the cyder tax. It was said to be enormous in amount, and unequal in application. It was computed to equal the rent of the land from which it arose; and the occupier, being obliged to pay the whole sum within six weeks from the time of making the cyder, remained exposed, without allowance or drawback, to all the loss arising from those accidents to which

Observations.

* See Coxe's Memoirs of Sir Robert Walpole, chap. 41.

CHAP.

VI.

1763.

so hazardous a commodity is subject. To prove the inequality of the tax, it was alleged that all the different sorts of cyder were subject to the same imposition: of these there were computed to be four: the worst of which was made from the windfalls, and could only be serviceable for family consumption; this, and the other three sorts, varying in value from eight to fifty shillings a hoghead, were taxed alike, by which means the common drink of the day-labourer was subject to as heavy a charge as the luxurious beverage of men of ample fortunes. The assertion that it is impossible to discriminate the classes of cyder, so as to impose a proportionate duty, was more strongly decried as displaying the impolicy of the tax.^b

24th Mar.
Relief to
the Ame-
ricans.

IN this session, in consequence of a message from the king, the house of commons voted a compensation to the subjects of North America, for the expences incurred during the war, in the levying, cloathing, and pay of the troops raised by the respective provinces.^c The public business being early dispatched, parliament was prorogued.

Change of
ministry.

SOON after the passing of the cyder tax, when lord Bute's friends and enemies considered him so permanently fixed in office, that the long labours of a well united opposition, would be requisite for his expulsion, he astonished the public by a sudden resignation. Sir Francis Dashwood followed his example. Mr. Grenville succeeded them both as first lord of the

2d April.

^b See case of the county of Devon, published by the direction of the committee.

^c By an act passed this session, John Harrison received a reward of 5,000 l. for his ingenious labours towards the discovery of the longitude.

treasury and chancellor of the exchequer; and notice was given to the foreign ministers, that his majesty had confided the executive powers of government to Mr. Grenville, lord Halifax, and lord Egremont. A place in the cabinet was offered to Mr. Pitt, but he insisted on such extravagant terms, that the king could not in honour comply: he demanded the removal of every person who had in any manner been engaged in making the peace; and even required that the terms of the treaty should be meliorated. The king answered, he would never withdraw his protection from those whose conduct he approved, or reprobate measures which he had sanctioned with his approbation.*

CHAP.
VI.
1763.

THE sudden termination of lord Bute's ministerial career, and his dereliction of that power which it was thought his chief aim to acquire, and his principal labour to extend, gave rise to various contradictory speculations. By some it was attributed to fear of impeachment, augmented by the prospect of the duke of Bedford's return from Paris, and the expectations of some important disclosures.¹ Some weakly imagined, that the persevering attacks of the *North Briton* drove him from the helm; and others believed that he still retained his power, though he did not openly appear to exercise it. The reasons assigned by a writer, who probably did not make his statement without the privacy of lord Bute, are these: "His resignation is in consequence of a resolution early taken, and invariably adhered to by this extraordinary

Observations on lord Bute's resignation.

* From private information.

¹ Life of lord Chatham, vol. i. p. 425.

² History of the late Minority, p. 127.

"person;

CHAP.
VI.
2763.

“ person ; who, seeing the nation involved in
 “ a consuming war, which for various reasons
 “ no minister but himself would put an end to,
 “ thought himself called upon, not only as the
 “ friend of his sovereign, but as the friend of
 “ his country, to undertake the difficult and
 “ dangerous task of making peace : this he
 “ happily accomplished, and made a peace
 “ which speaks for itself. In the prosecution of
 “ this great work his life has been often threat-
 “ ened, and sometimes in danger from an ex-
 “ asperated multitude :” his character has been
 “ attacked with a virulence, till now, un-
 “ known : his relations, his friends, the place
 “ of his nativity, have been reviled, and every
 “ possible method taken to discredit him with
 “ the public, and to ruin him with the king
 “ his master. This storm he endured, and per-
 “ severed with inconceivable constancy, till the
 “ peace was ratified and approved by parlia-
 “ ment, and the business of the session brought
 “ to a conclusion : then he resigned, leaving
 “ the new ministry, supported by a great ma-
 “ jority in both houses, and not obstructed by
 “ those prejudices which had been so indus-
 “ triously raised up against him.

“ This opinion of his having early taken
 “ a resolution to retire, is confirmed by the
 “ mildness of his administration, and his total
 “ neglect of the libels against him. He has ac-
 “ cordingly retired without place or pension,

^a This assertion was verified in two remarkable instances : the first, as he was going to the lord mayor's entertainment at Guildhall, when he was attacked by the papists, his carriage broke, and himself very narrowly escaped the stroke of a club ; the other, as he was going to the parliament house, when the civil power preserved him. —History of the late Ministry, p. 227.

“ disdain

“ disdaining to touch those tempting spoils
 “ which lay at his feet. ”

CHAP.

VI.

1762.

THERE is too great an appearance of precipitation in lord Bute's retreat, to sanction these suppositions; even the king was not early apprized of his intention, and from his good opinion of the earl, lamented that he had lost a friend as well as a minister.^o It is absurd to suppose that fear of impeachment induced him to resign. Fear is a strange motive to assign for yielding up that which constitutes strength, especially when no measures were taken to make that sacrifice a bribe for forbearance. The terms of peace have already been so amply discussed, as to leave no necessity of again entering into their merits. Another charge, however, was brought against the minister,—that of having received a large sum of money from France.^q After having for some years amused the public, and served as a theme to those virulent declaimers who are always ready to repeat the grossest fables, if of a slanderous tendency, this allegation met its death in the house of commons. It was brought forward by Dr. Musgrave, who, in a long examination betrayed so large a portion of credulity, with so small a share of judgment,

^o Letter from a Gentleman in Town to his Friend in the Country, occasioned by a late Resignation.

^p From private information.

^q In support of this unfounded allegation, the public attention was often invidiously directed to lord Bute's extensive buildings at Luton, and in Berkeley Square. Such magnificent undertakings proved his disregard of money, but they were not too great for his ample fortune. By his marriage with Mary, daughter of Edward Wortley Montague, he acquired an estate of 25,000 l. a year, besides 450,000 l. in the funds. Far from supplying his expences by means of the public money, he raised 90,000 l. by mortgage, and had long enough to redeem the estate by frugality.—From private information,

that

CHAP.

VI.

1763.

that the house, after a minute investigation, voted his information in the highest degree frivolous, and unworthy of credit.*

It is improbable that lord Bute, who had patiently endured the most virulent invectives, should be driven from the helm by so vapid a production as the North Briton. Burke properly characterized this weak and malicious series of libels, by calling it a milk and water paper, as much inferior to Junius in rancour and venom, as in strength, wit, and judgment.†

In fact, the principal cause of his resignation was the want of support in the cabinet. In a private letter to one of his friends, before he retired from the helm, he more fully explained the real motives of his conduct: "Single," he said, "in a cabinet of my own forming; no aid in the house of lords to support me, except two peers, (lords Denbigh and Pomfret); both the secretaries of state silent, and the lord chief justice, whom I myself brought into office, voting for me, yet speaking against me; the ground I tread upon is so hollow, that I am afraid, not only of falling myself, but of involving my royal master in my ruin.—It is time for me to retire!"‡

THE continuance of the ex-minister's secret influence in the closet, *for a considerable period*, has been so repeatedly and confidently asserted, that to doubt it would seem rashness; yet, perhaps, if we except the negotiations for the ministerial changes soon after his resignation, in which he was occasionally the medium to communicate the king's intentions, no report

* See debates, January 29th, 1770.

† See debates, 27th November, 1770.

‡ From private information.

was ever less consonant to truth : for it was his constant and repeated complaint to his intimate friends, both in his travels and at home, that he was neglected by his sovereign. This avowal from a man so cautious as lord Bute, outweighs all the vague assertions of those who maintained the existence of a mysterious agency, and proves that the loss of his influence had sunk deep in his mind."

CHAP.
VI.
1763.

LORD BUTE'S short administration was rendered additionally unpleasant by his own errors. His undertaking to make peace when the nation was eager for continuing the war; and his offending all those who, by popularity or family connection, were enabled to co-operate effectually in his views; were rash though laudable exertions: and his danger was augmented by his negligence of public applause, and ignorance of the means by which it might be acquired. He was advised to condemn the clamors of the city, for on the least threat of the king's displeasure, those who were then at his throat, would soon be at his feet*; and though he neither esteemed nor respected the man who gave this council, the tenor of it seems agreeable to his mode of thinking: the consequence was, that the city connected with the admiration of Mr. Pitt, a factious and overbearing spirit of resistance to the exertions of government. Even the virtues of lord Bute were not calculated to insure respect, or conciliate affection. It is said of him, "No man could complain, during his administration, of a promise broken, or of hopes given and not fulfilled. No inferior

* From private information.

* Letter from lord Melcombe to lord Bute, 8th October, 1761.

"person

CHAP.

VI.

1763.

“ person in any department where he had served,
 “ who did not passionately regret the loss of
 “ so easy, so kind a superior.”^y In diminution
 of this eulogium, it is to be remarked that lord
 Bute made no promises, and gave no hopes,
 except to persons whose devotion he meant
 to secure: and that under him the pernicious
 precedent was introduced, of removing every
 dependent of government, even to the lowest
 clerks in the public offices, to introduce others
 of his own nomination.^z This proceeding ne-
 cessarily created many enemies, and if it gave
 him some claims to gratitude, those claims were
 too slight and precariously founded to be much
 relied on. His patronage of literature and the
 arts, was liberal and honourable: with what
 judgment it was bestowed, is not the province
 of history to discuss; but it does not appear
 open to the imputation of corrupt or sinister
 motives.^a

THE character of this minister, as connected
 with his resignation, is well portrayed by a
 contemporary writer: “ The support of the
 “ prince, the acquiescence of the people, the
 “ complaisance of parliament, and the baffled
 “ efforts of his rival, seemed now to have rivetted
 “ and established the earl of Bute as a permanent
 “ minister. A feeble clamour without doors must
 “ have soon died away, with the hopes of forcing
 “ his lordship from his high department. To the
 “ astonishment of the world, to the certain ruin

^y Letter from a Gentleman in Town to his Friend in the Country,
 p. 11.

^z Serious Considerations on the Measures of the Present Admini-
 stration, by Dr. Butler, Bishop of Worcester, p. 10. The same fact
 is asserted in innumerable other publications.

^a Lord Bute's private virtues and social qualities are not descanted
 on, they do not form the subject of history; but they were numerous
 and estimable.

“ of his character as a politician, he suddenly
 “ resigned. The surprize of his enemies pre-
 “ vented them from taking advantage of the
 “ consternation among his friends. The former
 “ abused him: the latter blamed: both de-
 “ pised his conduct.

“ THIS conduct, however, arose more from
 “ the character and disposition of the man, than
 “ from any public opposition to his measures, or
 “ private circumstance of intimidation. Though
 “ born with good parts, and a good heart, he
 “ was possessed of qualities which sullied the one,
 “ and made the other doubtful, in the eyes of
 “ the superficial and prejudiced. Surrounded
 “ with men whose weakness was known to the
 “ world, his judgment of mankind became sus-
 “ pected; and it was difficult to reconcile bene-
 “ volence of temper, with a pride that rendered
 “ him inaccessible. Attached by nature to a re-
 “ tired manner of life, he contracted a shyness
 “ of disposition, which ought never to be carried
 “ into the highest department of the state. Ha-
 “ bit established the companions of the obscure
 “ part of his life so firmly in his mind, that he sa-
 “ crificed his reputation with others, to an ap-
 “ pearance of an inattention to them. They
 “ were, however, his companions, but not his
 “ counsellors: he loved them for their good na-
 “ ture; his good sense forced him to despise
 “ their understandings. Intelligent, penetrat-
 “ ing, and threwd, he studied the theory of go-
 “ vernment with success; circumstances attend-
 “ ing his youth, and a habit of retirement, cir-
 “ cumscribed his knowledge in the practice.
 “ Mistaking the attention paid to his office and
 “ situation for actual attachment to his person,
 “ he was deceived by the designing; and he
 “ looked upon political desertion as a singular
 VOL. I. K “ instance

CHAP.
VI.
1763.

“ instance of depravity in the age. The noise
“ and clamours of an interested few, he took for
“ the voice of the public; and, thinking he had
“ deserved well of the nation, he was offended
“ at its ingratitude. He retired with chagrin;
“ and his enemies owed the victory, which they
“ ascribed to their own spirit and conduct, to
“ an adventitious mistake in his mind.”^b

Character
of Mr.
Grenville.

Mr. GRENVILLE, who was at the head of the new administration, was son of George Grenville, esquire, of Wootton in the county of Bucks, by Esther sister of lord Cobham. He was bred to the law; and in the year 1741 was initiated in parliamentary and official business. He was successively appointed lord of the treasury and admiralty, and treasurer of the navy, under George II, and secretary of state, and first lord of the treasury, in the present reign. To a masculine understanding, and resolute mind, he joined an unwearied application, and considered business not as duty which he was to fulfil, but a pleasure he was to enjoy. He won his way to power through the laborious gradations of public service; and secured to himself a well earned rank in parliament, by a thorough knowledge of its constitution, and a perfect practice in all its affairs. A constant attention to the forms of business, rendered him methodical in debate; but, although he was not distinguished by the graces of eloquence, his speeches were replete with sound knowledge, and displayed a thorough acquaintance with his subject. His political life was chequered by diversities of connection and opposition: he came into office under the auspices of lord Cob-

^b Political Conduct of the Earl of Chatham, p. 13.

^c Burke's works, vol. i. p. 541.

ham, and continued under the standard of his brother, earl Temple, till the beginning of the present reign. Jealousy of his brother in law, Mr. Pitt, and other concurrent circumstances, broke the family phalanx; and although Mr. Grenville afterwards coalesced with lord Temple, he was never reconciled to Mr. Pitt.

CHAP.
VI.
1763.

LORD BUTE is accused of having begun a paper war, by hiring writers to support his administration, and vilify his opponents.^d There is some truth in the suggestion that certain writers were liberally, or rather extravagantly, paid for their exertions in behalf of government;^e but lord Bute did not begin the paper war, and the authors on his side did not equal their opponents in scurrility. If the practice of employing men of letters to defend the proceedings of government has any justification, it must be found in the circumstances of the times, when, from an extreme strictness of regulation, no accounts of the debates in either house were given to the public, and their chief information on the topics agitated in parliament, was derived from the lord's protests, and such pamphlets as detailed, in a partial and equivocal manner, the arguments used by the members. However it might originate, the licentiousness of the press now became unbounded, and disgraceful to the nation.

Virulence
of political
publica-
tions.

^d History of the late Minority, p. 77.

^e This does not seem to have been a measure of lord Bute's own suggestion, but to have flowed principally from lord Melcombe. See his Diary, p. 419, 245. In a letter to lord Bute, dated 8th October, 1761, Lord Melcombe says, "Mr. Pitt may think by going out upon a spirited pretence, to turn the attention and dissatisfaction of the public on those, who, at a ruinous expence, are to carry on his wild measures, and whom they have been taught to dislike, by a total abandonment of the press to him and his creatures, which I humbly hope you will think proper to employ better."

CHAP.

VI.

1763:
Publica-
tion of the
North Bri-
ton

23d April.

26th.
General
Warrant
issued.

29th.

IT was at length thought necessary to attempt restraining this intolerable torrent of calumny. The late minister endured, with great equanimity and forbearance, the abuse to which he was subjected, and did not use the lash of power against a man, who had openly avowed his resolution, "to try how far it was practicable to carry the licentiousness of writing, under pretext of exercising the liberty of the press." This individual was John Wilkes, member of parliament for Aylesbury, the avowed author of the North Briton, a periodical paper, in which every public measure was arraigned and ridiculed, with coarse invective and scurrilous ribaldry. This licence was carried to such an extent in the observations on the king's speech at the prorogation of parliament, published in the forty-fifth number of the North Briton, that it was judged expedient to issue a warrant from the secretary of state's office, requiring four messengers in ordinary to make strict search for the authors, printers, and publishers of the above seditious and treasonable production, and apprehend and seize them, together with their papers, and bring them before the secretary of state. Under this authority, one Leach, a printer, to whom the messengers had been erroneously directed, was apprehended, but discharged. Kearsley, the avowed publisher, was next taken into custody, and voluntarily avowed, before lord Halifax the secretary of state, that one Balfe was the printer, and Mr. Wilkes the author of the paper. Balfe confirmed the same facts, and the crown lawyers being of opinion that the publication of a libel was a breach of the peace, and there-

¹ Smollett's complete History of England, vol. xvi. p. 212.

fore not a case of privilege, the messengers were directed by virtue of the same warrant to bring Wilkes before the secretary of state. The officers were instructed to execute their warrant the same night; but Wilkes objecting to the general terms in which it was worded, and threatening the messengers with his vengeance, if they offered violence to his person at that unreasonable time, they desisted till the next morning, when he was arrested, and, having in vain demanded a copy of the writ, carried before lord Halifax.

CHAP.
VI.
1763.

30th April.
Wilkes
arrested.

WHEN Wilkes was first apprehended, he received a visit from lord Temple, who by his request applied to the court of Common Pleas for a writ of habeas corpus. The motion was granted; but before the writ could be prepared, Wilkes, having refused to answer all questions, was committed to the Tower, and detained in such close custody that his friends, and even his counsel and solicitor, were refused admittance.^s

Habeas
Corpus
moved for.

Wilkes
committed
to the
Tower.

THESE were the circumstances which brought under public discussion, one of the most important points, relative to the liberty of the subject, agitated since the Revolution; namely, the legality of General Warrants. The importance of the object communicated itself to the parties concerned in the transaction, and made some parts of their conduct, which would otherwise have escaped observation, worthy of particular attention. The ministry could not justly incur blame for exerting the power with which they were invested, in punishing a libel so audacious as the forty-fifth number of the North Briton: it became a very distinct mat-

Observa-
tions.

^s Wilkes's letter to the duke of Grafton, Dec. 12, 1766.

CHAP.

VI.

1763.

ter from personal forbearance, to tolerate the circulation of a writing, in which the king was accused of having uttered a lie from the throne. Of such a crime it is no extenuation to distinguish (as Wilkes afterwards did,^b and in fact did in the very publication) between the king and his minister: the treasonable suggestion is not mitigated by supposing the king the mere engine through which the minister deludes the people. It is a point of propriety and delicacy in the course of parliamentary debate, when an address to the throne is under discussion, to shew respect to the king, by considering his speech as the production of the minister, in order to take away all appearance of offence from the free manner in which it is canvassed: but when, in order to stigmatize the minister, the sovereign is involved as an accomplice in a charge so meanly criminal as that of uttering a direct falsehood, such a discrimination is rather in the nature of guilty subterfuge, than of respectful distinction.

WITH respect to the warrant: common sense, the constitution, and the subsequent decision of the courts, concur in pronouncing it illegal; but the ministry who used it were not liable to censure. It lay before them as a customary process, which had been resorted to, even recently, by the most popular ministers; nor was their attention directed to the warrant itself, but to its effect: the opinion of crown lawyers was not taken on the extended question, whether a general warrant was legal; but whether Wilkes's offence was such as justified the use of it, and whether his privilege protected him against its operation.

^b See his speech in the court of Common Pleas, 3d May.

CHAP.

VI.

1763.

Further proceedings.

3d May.

6th.

Wilkes discharged.

Conduct of lord Temple.

Wilkes deprived of his commission.

5th.

THE first habeas corpus was directed to the messengers, but not being issued till Wilkes was out of their custody, was rendered ineffectual, and a new one ordered, directed to the constable of the Tower. In obedience to this writ, Wilkes was brought before the court: he made a flippant speech, in which he exposed his grievances, and accused the ministry of having recourse to this mode of persecution, because they had failed in their attempt to corrupt him. The court took time to consider of the arguments adduced, and at length the chief justice delivered their joint opinion, that the writ was not illegal, but that Wilkes was entitled to a discharge, by virtue of his privilege; a benefit which he owed intirely to the gratuitous admission of the counsel for the crown, that he was a member of parliament.¹ A prosecution was immediately instituted against him by the attorney general for publishing the North Briton.

LORD TEMPLE in these proceedings stood forward the avowed supporter and patron of Wilkes, and more than shared the popularity resulting from the contest. The king having deprived Wilkes of his commission as colonel in the Buckinghamshire militia; it was the office of lord Temple, as lord lieutenant, to annouce that resolution, which he did in the

¹ In delivering judgment on this point, the chief justice used these words: "It remains to be considered, whether Mr. Wilkes ought not to be discharged: the king's counsel have thought fit to admit that he was a member of the house of commons, and we are bound to take notice of it. In the case of the seven bishops, the court took notice of their privilege from their description in the warrant: in the present case there is no suit depending; here no writ of privilege can therefore issue, no plea of privilege can be received; it rests, and must rest, on the admission of the counsel for the crown; it is fairly before us upon that admission, and we are bound to determine it." Digest of the Laws Concerning Libels, P. 49.

CHAP.

VI.

1763.

Lord Temple dismissed.
7th.

most gentle terms, accompanied with assurances of regret, and complimentary testimonies. This behaviour on the part of lord Temple was so offensive, that he was struck off the list of privy counsellors, and dismissed from the lord lieutenancy of Buckinghamshire, which was given to Sir Francis Dashwood, who had recently attained the title of lord le Despenser.

BUT although, from an opinion that Wilkes was improperly treated, lord Temple supported him with warmth which plainly resulted from conviction, and with vigour sufficient to protect him from suffering under any wanton effort of malevolence, or even under a misconstruction of the law, he did not approve the violence and malignity which characterized his paper, or the national reflections with which it abounded. He advised Wilkes to remain in a state of dignified resignation, and await the decision of parliament, and the award of the courts of law. This line of conduct^k would have suited lord Temple in similar circumstances; but the only aim of Wilkes was to court persecution, for the sake of acquiring popularity. He no sooner obtained his discharge, than he wrote a scurrilous letter to the secretaries of state, asserting that his house had been robbed, and the stolen goods were in their possession. To render this insult the more insupportable, he printed the letter, and distributed several thousand copies. The secretaries of state, instead of treating this desperate

^k It is of the utmost importance to the memory of lord Temple, to make a strong discrimination between his character, and that of Wilkes, which is represented in the blackest colours of profligacy, inhumanity, meanness, and venality. See letter to lord Temple, &c. &c. And it is proper to observe that there is not the least shadow of truth in Wilkes's allegation, that the ministry persecuted because they could not corrupt him.

effort with merited contempt, by returning an answer gave to Wilkes an opportunity of appealing to their sense of propriety for an observance of those laws of decorum which he had so utterly neglected.¹

THE cabinet, which had always been considered extremely weak, was still further enfeebled by the death of lord Egremont, whose great abilities and influence gave weight to his measures. Lord Bute, sensible the ministry could not continue, waited on Mr. Pitt, and obtaining a clear statement of his opinions with respect to men and measures, procured for him an interview with the king at Buckingham House. Mr. Pitt's situation was thus rendered extremely delicate: to refuse advice and assistance when solicited by the king, was impossible; but the jealous vigilance of opposition was ever ready to take alarm: a certain degree of publicity was, therefore, the best means of avoiding suspicion. He went through the Mall in his gouty chair at noon-day, the boot of which (as he said himself) made it as well known, as if his name was written upon it. His majesty received him most graciously, and heard him with great patience and attention. The audience lasted three hours. Mr. Pitt descanted on the infirmities of the peace; the things necessary, and hitherto neglected, to improve and preserve it; the present state of the nation, both foreign and domestic; and specified the great Whig families who had been driven from his majesty's service, whom it would be for his interest to restore. The king

CHAP.
VI.
1763.

Death of
lord Egremont.
21st Aug.

25th.
Negotiation with
Mr. Pitt.
27th.

¹ The statement of proceedings against Wilkes, and the reflections on them, form the subject of some hundreds of pamphlets, and occupy a considerable portion of all the periodical works of the day, from which this narrative has been extracted.

CHAP. made no objection to any of these statements,
 VI. except by saying, that his honour must be pre-
 1763. served; and directed Mr. Pitt to attend him
 again on the twenty-ninth.

28th Aug. Mr. PITT well satisfied, from his majesty's
 apparent acquiescence, that a cabinet would
 be formed, according to his suggestions, on a
 Whig basis, repaired without a moment's delay
 to Claremont, and arranged with the duke of
 Newcastle the new administration. Mr. Pitt
 undertook to apprise the duke of Devonshire,
 and the marquis of Rockingham: the duke of
 Newcastle was to inform lord Hardwicke.

29th Aug. THE next audience subverted these hopes;
 for, when Mr. Pitt named his co-adjutors, the
 king mentioned some persons whom he wished
 to introduce into the administration, and laid
 down a plan for a general arrangement. Mr.
 Pitt, without circumlocution, told his majesty
 that a ministry could not be carried on without
 the noble families who had supported the re-
 volution government, and other great persons
 in whose abilities and tried integrity the pub-
 lic confided from experience, and who had
 weight and credit with the nation. His majesty
 suddenly terminated the conference, by say-
 ing, "Well, Mr. Pitt, I see (or I fear) this
 " will not do. My honour is concerned, and
 " I must support it."

THIS remarkable transaction furnished am-
 ple materials for animadversion and conjecture.
 It was supposed by the earl of Hardwicke, from
 whose letter the information on this topic is
 principally derived, that in the day which in-
 tervened between Mr. Pitt's first and second
 audience, some strong effort was made which
 produced the alteration.

BUT with great deference to this opinion,
 the

the change of the king's sentiments may be ascribed to other causes. The only person who could be supposed to influence the royal mind was lord Bute, and he had no motive to adopt such a line of conduct; for in both these conferences, Mr. Pitt expressed no objection to unite with him, and the ministry could not act with cordiality towards one who had attempted to displace, without consulting them. It is more probable, that at the first interview, the king, transported with Mr. Pitt's rapid and commanding eloquence, overlooked the inevitable tendency of his arrangement, — that of subjecting the throne to the domination of certain powerful families; but in the intermediate day, he had reflected on the subject, and when the second conference took place, though he was willing to assure to Mr. Pitt and his friends a complete ascendancy in the cabinet, by making lord Temple first lord of the treasury, lord Hardwicke president of the council, and Mr. Pitt secretary of state, yet he would not submit to the exclusive spirit which induced Mr. Pitt to attempt filling the whole council board with one strong, compact, weighty influence. This opposition of principle terminated the discussion, and Mr. Pitt declared, that if examined on oath, he could not tell upon what the negotiation broke off, whether upon any particular point, or upon the general complexion of the whole. ^m

THIS treaty having failed, the duke of Bedford was appointed lord president of the coun-

2d, 10th
Sept.
Duke of
Bedford's
ministry.

^m See lord Hardwicke's letter to a near relation (lord Royston) on the subject of a ministerial negotiation in 1763, printed for Jervis and Debrett, 1785. See also, *Anatomy of a late Negotiation*; and a general abstract of the accounts of this interview, which were given to the public in the *Gentleman's Magazine* for 1763, p. 451.

CHAP.

VI.

1763.

cil, lord Sandwich secretary of state, lord Egmont was placed at the head of the admiralty, and Mr. Grenville retained his situation of first lord of the treasury and chancellor of the exchequer: this was called the duke of Bedford's ministry.

THEIR career began at an inauspicious moment, when the whole nation seemed replete with jealousy, alarm, and discontent. Mr. Pitt alone could have effectually alluaged the popular irritability; but the king was precluded from benefiting by his popularity.

Wilkes
publishes
sundry li-
bels.

ONE great source of uneasiness was for a while removed in the person of Mr. Wilkes, who disgraced his character, and forfeited all prospect of support from persons of respectability. After his liberation from the Tower, instead of following the advice of more discerning friends, and acting with the dignity becoming a champion of popular freedom, he adopted a line of conduct equally violent and mean: finding the printers averse to incur the danger of publishing his productions, he established a press in his own house, and distributed proposals for printing by subscription, at the price of one guinea, "The Proceedings of Administration on his Case;" but, to his great disappointment, very few subscriptions were obtained.^a He next committed to his press a most obscene and blasphemous poem, called, "An Essay on Woman," designed as a parody on Pope's Essay on Man. A sheet was communicated through one of Wilkes's journey-men printers to Mr. Kidgell, chaplain to lord March, and was at length laid before the

^a History of the late Minority, p. 203.

secretaries

secretaries of state. ° Meanwhile, Wilkes's press was employed in a new edition of the first forty-five numbers of the North Briton, with notes and corrections. This measure was equally repugnant to the advice of his friends, as it furnished more certain means of conviction in the prosecution instituted against him. Wilkes, however, was inflexible to advice, and having put his work in a state of forwardness, went to pass a few weeks in France. P

CHAP.
VI.
1763.

And goes
to France.

° See Kidgell's Narrative, published by Robson and Wilkie, 1763. It is alleged in mitigation of Wilkes's crime, that no more than a dozen copies were printed. History of the late Minority, p. 206. — Answer to Kidgell's Pamphlet, p. 8.

P History of the late Minority, p. 211. During his stay in France, Wilkes was insulted by a Scottish gentleman of the name of Forbes, and was, in order to prevent a duel, put under an arrest.

CHAPTER THE SEVENTH:

1763—1764.

Meeting of parliament. — Proceedings respecting Wilkes. — Riot on burning the North Briton. — Further proceedings in parliament. — Actions tried against the messenger. — Wilkes goes to France. — Marriage of the princess Augusta. — Wilkes expelled the house of commons. — Debates on privilege, and on general warrants. — Wilkes's trial and outlawry. — Supplies. — Resolutions for taxing America. — Prorogation of parliament. — View of American affairs. — Government of Canada. — Intrigues of the French in Canada. — Indian war. — Regulations for prevention of smuggling. — Conduct of the New England Provinces. — Dr. Franklin sent to England as agent. — His character.

CHAP.
VII.

1763.
15th Nov.
Meeting of
parliament.
Proceed-
ings re-
specting
Wilkes.

MR. WILKES's case was the first object which engaged the attention of parliament. The commons, after hearing the king's speech, had no sooner returned to their own house, than Mr. Grenville anticipated any other motion,^a by informing them that his majesty having received information that John Wilkes, esquire, was the author of a most seditious and dangerous libel, published since the last session, had caused him to be apprehended and secured, in order to his being tried for

^a The address on the king's speech was moved the 17th, and carried without debate: it contained the congratulations of the house on her majesty's safe delivery of a second son, which took place the 16th August.

his

his offence. He then stated the proceedings in the courts below, and laid on the table the libel, with the examinations of the bookseller and printer. An address of thanks was voted, and the house on a division^b resolved, that the paper intitled the North Briton, number forty-five, is a false, scandalous, and seditious libel, and that the said paper be burned by the hands of the common hangman.

WHEN this motion was disposed of, Mr. Wilkes, premising that in his person the rights of all the commons of England, and the privileges of parliament, had been highly violated, stated the circumstances of his arrest and discharge, and the proceedings against him in the court of King's Bench by subpœna. He requested the judgment of the house on his privilege; declaring, however, that if they decided in his favour, he would waive the advantage, and put himself on a jury of his countrymen. The further consideration of the king's message, and the case of privilege, was adjourned to the twenty-third.

Wilkes's
Complaint
of a breach
of privi-
lege.

ON the same day a complaint was made in the house of lords, of the Essay on Woman, which was produced. Lord Sandwich dwelt with great force on the profaneness and obscenity of the production, and Warburton bishop of Gloucester, complained of a breach of privilege, as the author, to render the parody more complete, had affixed the learned prelate's name to one of the notes.^c

Complaint
against
Wilkes in
the house
of lords.

THIS

^b 237 against 111.

^c History of the late Minority, p. 233. It has afforded some ground of surprize, and furnished topics of ridicule and censure, that the earl of Sandwich should stand forward as Wilkes's principal accuser on this occasion, because lord Sandwich's conduct was not considered sufficiently moral to render him a fit champion in such a cause.

CHAP.

VII.

1763.

16th Nov.
Wilkes's
duel with
Martin.

THIS attack was quite unexpected to the delinquent; he saw at once the effects to be apprehended from his imprudence, and now gave way to the violence suggested by despair. In the course of debate in the lower house, Mr. Martin, member for Camelford, who was attacked in some of the early numbers of the *North Briton*, declared that the author (whoever he might be) was a malignant and infamous coward. Wilkes sent a letter to Martin, in which he acknowledged that the paragraphs complained of were written by him. This produced a message, in consequence of which the parties met in Hyde Park, and fought with pistols; Wilkes was dangerously wounded.

23d and
24th Nov.
Debates on
his case.

THE question of privilege was debated with great warmth during two days. On the second, the speaker produced a letter from Mr. Wilkes, who requested the further consideration might be deferred till he was able to attend; but the house resumed the debate, and finally resolved, "That the privilege of parliament does not extend to the case of writing and publishing seditious libels, nor ought to be allowed to obstruct the ordinary course of the laws, in the speedy and effectual prosecution of so heinous and dangerous an offence." ^d The resolutions made on the first day of the session were also confirmed; and as the concurrence of the lords was deemed of great importance, a conference was desired. No debates on this subject are preserved, except

cause. I have reason to believe, that the same motives impelled the noble earl and the learned bishop; and that as Warburton was the supposed annotator on the *Essay on Woman*, Sandwich supplied in the text, the place allotted to Bolingbroke in the *Essay on Man*.

^d 258 against 133.

a speech

a speech of Mr. Pitt, who vehemently reprobated the facility with which parliament surrendered its own privileges; but he carefully impressed on the house, that he was merely delivering a constitutional opinion, and not vindicating either the libel or its author. "With respect to the paper itself" he said, "which gave pretence for this request to surrender the privileges of parliament, the house had already voted it a libel; he joined in that vote. He condemned the whole series of North Britons, as illiberal, unmanly, and detestable. He abhorred all national reflections. The king's subjects were one people. Whoever divided them was guilty of sedition. His majesty's complaint was well founded; it was just; it was necessary. The author did not deserve to be ranked among the human species, he was the blasphemer of his God, and the libeller of his king. He had no connection, nor did he associate or communicate, with any such writer."

THE resolutions of the commons were at the first conference left with the lords, and produced an animated debate. None of the speeches are preserved except that of lord Lyttleton, who defended the proceeding of the commons with great ability and manly eloquence. He entered into the history of privilege, and analyzed the powers of the crown and parliament, combating the application of the doctrine of inviolability in certain cases; among the most atrocious of which, he placed the dissemination of seditious libels. He particularly insisted on the malignant and dangerous tendency of publications calculated to weaken the connection between England and Scotland; and contended, with great force

25th Nov.
In the
lords.

CHAP.
VII.
1763.

of argument, against the apprehensions entertained of unduly extending the power of the crown, by the decision of the present question. He said, as the offence was bailable, there was no reason to fear that the power vested in the secretary of state, could be abused to any dangerous purpose; on the contrary, both government and liberty were as safe, as the imperfection of human policy would allow. Acknowledging the purity of the principles which animated the lords in opposition, he concluded by saying, "In order
"to preserve the independence of parliament
"against any future violations on the part of
"the crown, it will be necessary to preserve
"the reputation of parliament in the minds of
"the people, and the love of it in their hearts.
"How, my lords, can this be done, if they
"find it an obstacle to that equal justice which
"is their birthright, and their safety? Upon
"the whole, I am confident your lordships will
"on no account depart from that maxim, which
"is the corner stone of all government, That
"justice should have its course, without stop or
"impediment. *Jus, fas, lex, potentissima sint.*
"This, my lords, is the very soul and essence of
"freedom. Obstruct this, and you immediately
"open a door to all violence and confusion;
"to all iniquity, and all the cruelties of private
"revenge, to the destruction of private peace,
"the dissolution of public order, and in the
"end to an unlimited and despotic authority,
"which we must be forced to submit to as a
"remedy against such intolerable evils. The
"dominion of law is the dominion of liberty.
"Privilege against law, in matters of high concernment to the public, is oppression, is tyranny, wheresoever it exists."

THE

THE lords concurred in the resolutions of the commons; but a long and spirited protest, signed by seventeen peers, replete with constitutional learning and ingenious argument, was entered on the journals.

At a conference, an address to the king was voted. It was expressed in most dutiful and affectionate terms; and blamed with proper asperity the wanton indignity he had sustained. Wilkes was also ordered to attend at the bar of the house of commons, in a week, if his health would permit.

THE execution of that part of the sentence which related to the burning of the North Briton, was committed to the superintendence of alderman Harley, one of the city members and sheriff of London. This operation was rendered extremely difficult and dangerous by the tumultuous disposition of the populace, who combining the names of Wilkes and liberty, considered the punishment of the one, a death blow to the other. The sheriffs and other officers being assembled at the Royal Exchange to perform their duty, were assailed by a furious mob, pelted with filth and stones, and insulted in the grossest manner. The glass of Harley's chariot was broken by a billet of wood, plucked from the fire and thrown at his person. Alarmed at this appearance of premeditated violence, he went to the mansion house, and apprized the lord mayor of his danger; the executioner followed, and the constables were obliged to retire, after their staves had been broken by the populace. The pieces of the libel were rescued, and carried in triumph to Temple Bar, where a bonfire was made, and a large jack-boot committed to the flames. *

CHAP.
VII.
1763.
Protest.

1st Dec.
Address to
the king.

2d.
Wilkes
ordered to
attend at
the bar.

3d.
Riot on
burning
the North
Briton.

* In ridicule of *John earl of Bute*.

CHAP.

VII.

1763.
6th & 7th.
Vote of the
commons
on the sub-
ject.

THESE proceedings being reported to both houses, they voted that all persons concerned in the riot, their aiders and abettors, were perturbators of the public peace, dangerous to the liberties of the country, and obstructors of national justice. Thanks were voted to the sheriffs, and the king was addressed to give directions that the most effectual methods might be taken for discovering and prosecuting the offenders; one of whom was afterwards convicted.

7th.
Proceed-
ings on
Wilkes's
case de-
ferred.

IN consequence of the order for the attendance of Wilkes, an eminent physician and surgeon^f appeared at the bar, and stated that he could not, on account of his health, obey the injunction. The time was then enlarged for a week; at the expiration of which, the same persons again making a similar report, the period was extended beyond the term allotted for the Christmas recess; but to prevent collusion, a physician and surgeon^g named by the house were directed to attend Mr. Wilkes, and report their opinion on his case on the nineteenth of January. The discussion of his complaint of a breach of privilege, was adjourned to the same day.

16th.

ACTIONS
against the
messengers.

NUMEROUS actions had been commenced against the messengers, by persons arrested under the general warrant, to recover damages for false imprisonment. They were all tried in the court of Common Pleas, and verdicts of various amounts recovered. Wilkes had also brought actions against the two secretaries of state, and against Mr. Wood under-secretary of state, for injuries sustained on the same oc-

^f Dr. Brocklesby and Mr. Graves.

^g Dr. Heberden and Mr. Cæsar Hawkins.

caſion.

caſion. The proceedings againſt lord Egremont abated by reaſon of his death. Lord Halifax, by various exertions of privilege, and at length by ſtanding out in contempt of the court, procured delay till Wilkes was outlawed.^a The action againſt Wood was tried before a ſpecial jury at Guildhall, and after a hearing of fifteen hours, a verdict was given for a thouſand pounds damages. Bills of exception were tendered and allowed in this and the cauſes againſt the meſſenger. The lord chief juſtice, on this occaſion, extended his former opinion ſo far as to declare the warrant unconfitutional, illegal, and abſolutely void. “ If it be good,” he ſaid “ a ſecretary of ſtate “ can delegate and depute any one of his meſſengers, or any even from the loweſt of the “ people, to take examinations, to commit or “ releaſe, and, in fine, to do every act which “ the higheſt judicial officers the law knows “ can do or order. There is no authority in “ our law books that mentions theſe kind of

6th.

10th.

^a In a tranſaction of this nature, hiſtory can hardly be too minute; the means of delay uſed by lord Halifax are therefore exactly ſpecified; they appear ungenerous and diſcreditable to the cauſe in which they were employed. Original was iſſued, teſted the firſt day of June, and returnable from the firſt day of the Holy Trinity, in three weeks, (19th of June, 1763); and the earl being ſummoned, caſt an eſſoign, which was adjourned until the 18th of November. Then he availed himſelf of his privilege; which being at an end, and all the eſſoigns expired, a diſtringas was taken out, teſted the 9th of May, being the firſt day of Eaſter Term 1764, returnable from the day of Eaſter in five weeks, (27th of May); the ſheriff returned forty ſhillings iſſues. The earl did not appear: The court directed fifty pounds iſſues. An alias diſtringas was taken out, teſted the 30th of May, and returnable on the morrow of the Holy Trinity, (18th of June); the ſheriff returned his iſſues. The earl ſtill reſuſed to appear: The court ordered five hundred pounds iſſues. A pluries diſtringas was taken out, teſted the firſt day of Trinity Term, (the 22d of June) and returnable in three weeks of the Holy Trinity, (the 8th of July). In November following Mr. Wilkes was outlawed; then the earl appeared and pleaded the outlawry.—Hiſtory of the late Minority.

CHAP.
VII.
1763.

“warrants, but in exprefs terms condemns
“them. Upon the matureft confideration, I
“am bold to fay, this warrant is illegal; but I
“am far from wifhing a matter of this confe-
“quence fhould reft folely on my opinion.
“It may be referred to the twelve judges, and
“there is a ftill higher court, before which it
“may be canvaffed, and whole determination
“is final. If thefe fuperior jurifdictions fhould
“declare my opinion erroneous, I fubmit as
“will become me, and kifs the rod; but I
“muft fay, I fhall always confider it as a rod
“of iron for the chaftifement of the people of
“Great Britain.”

THE judgment refpecting the illegality of
general warrants was afterwards, on arguing
the bills of exceptions, affirmed by lord Man-
field.¹

Frantic at-
tempt to
affluinate
Wilkes.

SOON after the verdict in Wilkes's favour, a
man called at his houfe; but being refufed ad-
mittance, went to a coffee-houfe in the neigh-
bourhood, and declared that he and ten more
were determined, “to cut Wilkes off, let the
“event be what it might.” He again applied
to fee Wilkes, and was taken into cuftody,
when a new pen-knife was found in his pocket.
A complaint was made in the houfe of com-
mons, but his insanity being clearly proved,
the houfe difcharged him from further attend-
ance: the court of King's Bench, however,
thought proper to commit him for want of fe-
curities to keep the peace.²

WILKES refufed to admit the vifits of the
two medical men appointed by parliament;

¹ See 3 Barrow, 1762. Holliday's Life of Lord Mansfield, p. 136.

² This man's name was Alexander Don. The fact is recorded in every periodical publication.

but

but in vindication of his own friends, called in two others. His case, however, does not seem so dangerous as represented, since in a few days after the recess he set out for Paris.

CHAP.
VII.
1763.

24th Nov.

IN the course of this session, the king announced to parliament, by message, a proposal of marriage from the prince of Brunswick and Lunenburg, to his eldest sister the princess Augusta. The house of commons, in consequence, voted the sum of eighty thousand pounds as the princess's dowry. The prince came to England early in the ensuing year, and the marriage was solemnized.

26th.
Marriage
of the prin-
cess Au-
gusta.

1764.
16th Jan.

WHEN parliament met after the recess, the order of the day being read for the attendance of Mr. Wilkes, the speaker produced a letter from him, inclosing a certificate of one of the French king's physicians, and an army surgeon, importing that from the state of his wound and its probable consequences, he could not, without danger, leave Paris. This certificate was not authenticated before a notary public, nor were any other regular means taken to insure its credit in England; and as the whole of his conduct appeared calculated to baffle and deride the authority of the house, they were perfectly justified in resisting a motion to adjourn the consideration of the matters against him, and in proceeding to an immediate hearing of evidence on the charge. The examination occupied the house till three o'clock in the morning; when it was resolved, that number forty-five of the North Briton, which had been voted a seditious libel, contained expressions of the most unexampled insolence and contumely towards his majesty, the grossest aspersions upon both houses of parliament, and the most audacious defiance of the authority of the

19th.
Wilkes
expelled.

CHAP.
VII.
1764.

20th.

13th, 14th
17th, Feb.
Debates on
the breach
of privi-
lege.

And on
general
warrants.

whole legislature; that it had a manifest tendency to alienate the affections of the people from the king; to withdraw them from their obedience to the laws; and to excite them to traiterous insurrections against government. It was further resolved that Wilkes should be expelled; and a new writ was issued for Aylesbury.

WILKES's complaint of a breach of privilege, notwithstanding his expulsion, came on in due course to be debated in the house; and occupied their attention during several days. The chief object of administration was to separate the supposed delinquency of Wood and Webb, the under-secretaries of state, against whom complaint was made, from the question on the legality of general warrants, and to confine themselves to the discussion of the mere act of those gentlemen, so as not to prejudice the question yet undecided in the courts of law.¹ After examining evidence, and hearing the parties in their own defence; the complaint was discharged. A motion was made to produce the warrant under which they had acted, but rejected. A general question was submitted to the house, "That a warrant for apprehending and seizing the author, printers, and publishers of a seditious libel, is not warranted by law." This motion was afterwards amended by adding, "Although such warrant has been issued according to the practice of office, and has been frequently produced to the court of King's Bench; and so far as appears to this house, the validity thereof has never been debated,

¹ The chief justice of the Common Pleas had given an opinion *anisi prius*, but the decision on the bills of exceptions was yet reserved.

"but

“but the parties have thereupon been bailed
“by the court.” The principal point of defence urged by ministry, and, in fact, their best ground for exculpation, was long established precedent, and they cited two instances in which Mr. Pitt issued general warrants.

Mr. PITT said, all the crown had desired, and the ministers wished, was accomplished in the conviction and expulsion of Mr. Wilkes, and therefore it was now their duty to do justice to the nation, the constitution, and the law; but the ministers and law officers, by evading the discussion, appeared conscious that the warrant was illegal. He denied that precedent afforded any justification: and said when he himself issued such warrants he knew them to be illegal, but preferring the general safety in time of war and public danger to every personal consideration, he ran the risque, as he would of his head, had that been the forfeit, upon the like motive, and did an extraordinary act against a suspicious foreigner, just come from France, and who was concealed at different times in different houses. He distinguished strongly between his case and that before the house: “What was there in a libel so heinous and
“terrible, as to require this formidable instrument, which, like an inundation, bore
“down all the barriers and fences of happiness and security? Parliament had voted
“away its own privilege, and laid the personal freedom of every representative of the
“nation at the mercy of his majesty’s attorney general. If the house negatived the motion, they would be the disgrace of the present age, and the reproach of posterity;
“who,

CHAP.
VII.
1764.

"who, after sacrificing their own privileges, had abandoned the liberty of the subject, upon a pretence wilfully founded in error, and manifestly urged for the purpose of delusion."

THE ministry in general avoided the question of legality, confining themselves intirely to precedent, and the impropriety of deciding a subject which was yet to be discussed in the courts below. The opposition had arranged their motions with great care, at several meetings held at the house of Sir George Saville.^m They began the debate, it is said, in full confidence of victoryⁿ; but after a long discussion, the question of an adjournment for four months was carried by a small majority.^o

21st.
Wilkes
tried.

Proceed-
ings of the
common
council.

WILKES having entered an appearance, was found guilty on both the prosecutions for publishing the North Briton and the Essay on Woman. His popularity was nevertheless undiminished, and the spirit excited by the proceedings against him unallayed. On the very day of his trial, the common council voted thanks to the city members, for their zealous and spirited endeavours to assert the rights and liberties of the subject, by their laudable exertions on the late question respecting general warrants, and exhorted them to persevere in the same course. At the same time, in manifestation of the sense they entertained of the inflexible firmness and integrity

^m History of the Minority, p. 270.

ⁿ Life of Lord Oatham, vol. i. p. 548.

^o 234 against 220. General Conway voted in this minority, though in every other instance he supported the ministry. This single act gave so much offence, that at the rising of parliament he was deprived of all his civil and military employments. See lord Oxford's works, vol. ii. p. 547. vol. v. p. 105.

of lord chief justice Pratt, they voted him the freedom of the city, and requested that he would sit for his picture, to be placed in Guildhall, in gratitude for his honest and upright decision on the validity of the warrant. Wilkes was afterwards outlawed for not appearing to receive judgment.

CHAP.
VII.
1764.

1st Nov.
1763.
Wilkes
outlawed.

THE supplies amounted to 7,771,000l; the deficiency was raised without new taxes or a lottery, by the renewal of the bank charter, for which government received a hundred and ten thousand pounds; by the produce of French prizes taken before the war, amounting to seven hundred thousand pounds; and by two millions from the sinking fund. These financial details would not have been thought worthy of enumeration, but the ministry deemed it necessary this year to contemplate America as a source of future revenue. A series of resolutions was brought into the house for regulating the trade, and imposing duties on certain articles of American commerce: they formed the basis of an act, which afterwards passed the legislature, and directed that the new duties should be paid in specie into the English exchequer. These resolutions were accompanied with one for introducing a stamp duty into America; but the minister withdrew it for the present, in order to allow time for the colonists to petition against it, when brought forward in another session.

10th Mar.
Resolutions for
taxing
America.
5th April.

IN the speech on proroguing parliament, the king adverted to the measures respecting America in these terms: "The wise regulations which have been established to augment the public revenues, to unite the interests of the most distant possessions of my crown, and
" to

19th April.
Prorogation of parliament.

CHAP.

VII.

1764.

View of
American
affairs.

“to encourage and secure their commerce
“with Great Britain, call for my hearty appro-
“bation.”

THE affairs of America assumed from this period an unexpected importance; and this attempt to derive from the colonies a revenue for the relief of the mother-country, laid the foundation of one of the most extraordinary and eventful contests recorded in history.

THE great accession of territory acquired by the peace, demanded no less wisdom than genius for its government; and it seems almost to exceed the art of the politician to frame such a system as would, without imposing the yoke of slavery, preserve the tie of dependence over an immense tract of colony, so far removed from the parent shore. The inhabitants of great part of North America, were strongly imbued with the spirit of liberty which characterizes the natives of Britain, from whom they derived their origin, and with that jealous irritability which is the companion and best guard of uncontaminated freedom.

WITHOUT penetrating into the remote periods of history with critical exactness, it will be proper succinctly to point out the differences in the inhabitants of various parts of the British-American dominions, and their habits and propensities, so as to form a clear estimate of their motives and springs of action. The colonies were resolved into three grand divisions, the Northern, Middle, and Southern.

THE Northern or New England Provinces, comprehending New Hampshire, Massachusetts Bay, Rhode Island, and Connecticut, possess a less fertile soil than the other parts of America; but their land produces excellent
timber,

timber, and affords pasture for innumerable herds; and their seas abound with fish. The natives are healthy, strong, and vigorous; keen, penetrating, active, and enterprising. Their origin, derived from the fanatics who in the reign of Charles I. fled from persecution in England to exercise it in America, was still discernable in their manners, conduct, and habits.

THE Middle Provinces, which include New York, New Jersey, Pennsylvania, and Delaware, afford the means of agriculture, and are favourable to the breed of cattle. Their soil is rich; and they were enabled to export wheat, flour, and furs. The inhabitants are robust, frugal, persevering, and industrious; plain and honest in their dealings, but of rude unpliant manners, with little penetration, and less knowledge. The greater part of their country had been ceded to the crown of Great Britain by the Dutch and Swedes. Pennsylvania was a settlement of quakers, for whom the celebrated Penn had framed a wise and consistent code of laws. Their prosperity and unobtrusive character rendered them easy to govern; and, until seduced or irritated, faithful in their attachment to Great Britain.

THE Southern Provinces, under which denomination are included Maryland, Virginia, North and South Carolina, and Georgia, exhibit a considerable variety of climate and manners. In the most southern parts, where the intense heat renders labour impracticable to any but the Africans, the people are pallid, tall, slender, indolent, voluptuous, and ostentatious; yet shrewd, intelligent, and extremely hospitable. The inhabitants of Maryland, Virginia, and South Carolina, were distinguished

CHAP.
VII.

ed for their imitation of the people of Great Britain, which extended to every particular of their furniture, dress, and manners. The natives of North Carolina were hardy and robust, chiefly employed in rearing cattle, and remarkable for their expertness in shooting at a mark with rifle-barrelled guns.

VIRGINIA, the earliest British colony in America, which owed its name to Elizabeth, and its establishment to James I, had risen from a miserable handful of emigrants, not exceeding a hundred, to a state of great wealth and prosperity. The inhabitants, as strongly marked in their character as those of the New England colonies, were exemplary in their attachment to monarchy; they were the last of the British subjects who yielded to the successful arms of Oliver Cromwell, and the first of the colonies who proclaimed Charles II. Maryland, ever prosperous, free, and happy, was originally a colony of Catholics, whom Charles I reluctantly persecuted, and who retained an affectionate allegiance to the crown. North and South Carolina were granted by Charles II to some noblemen and persons of rank, who employed Locke to form a constitution; but this great gift of an immortal genius, was no blessing to the colonists; they did not thrive till the government of England annulled their constitution, and subjected them to the more practical system of Virginia.^P

SUCH were the people whom Mr. Grenville proposed to subject to taxation, for the purpose of easing the burthens of England. In the first view of this project, it is only necessary to ex-

^P Chiefly from Stedman's History of the American War, Introduction. See also Chalmers's Political Annals. Raynal's History of the East and West Indies, books 17 and 18. Morse's American Geography, &c. &c.

amine its general expediency or impropriety, leaving the various measures originating from it, to be discussed in the periods which produced them.

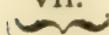
THE participation which America claimed and enjoyed in the benefits of the Revolution, rendered it merely reasonable that the colonies should contribute towards the discharge of a debt, incurred in support of the government which was to them the source of liberty and prosperity. The last war was undertaken principally on account of America, and a great part of the debt contracted in the preceding war, had originated in the defence of that country.⁴ The practice of imposing taxes by authority of parliament on the Transatlantic dominions was not new; it had been used ever since their establishment; not to an extent sufficient to afford great advantage to the country, yet abundantly sufficient, so far as precedent can be required, to support the right of the mother-country to draw pecuniary relief from her dependancies.⁵ The principle at the period of passing the resolutions in parliament was not deemed open to an objection; and it was considered necessary, as well as just, to realize the advantages which had been promised from the colonization and protection of that distant continent.⁶

IN opposition to the rights of Great Britain, thus supported by precedent and every known principle of colonization, certain abstract propositions were assumed, and descanted on with a violence adapted to a cause already secure of

⁴ Smith's *Wealth of Nations*, vol. iii. p. 459.

⁵ See the Rights of Great Britain asserted, p. 102, and the Statutes there enumerated from 12th Charles II to 6th George II; also Steadman's *History of the American War*, vol. i. p. 10, and p. 44.

⁶ Smith's *Wealth of Nations*, vol. iii. p. 466.

CHAP.
VII.


partizans, and requiring only a plausible vindication. Among these were the axioms, that in every free state every man is his own legislator; that all taxes are free gifts for public services; and that no one community can have any power over the property or legislation of another community, that is not incorporated with it by a just and adequate representation.* Without discussing the abstract truth of these positions, as applied to independent states, it must be obvious that, with respect to colonies, they can never be founded on general principle, but merely on peculiar and adventitious circumstances. No man can be rash enough to assert, that when the first British emigrants established themselves in Virginia; when their diminutive colony of a hundred, reduced by sickness and the climate to one half of that number, hung with all the weakness and all the solicitude of infancy on the protecting support of the parent land; that then these fifty individuals, stationed in a desert, and occupied chiefly in the pursuit of food, were defrauded of their privileges as British subjects, because no provision was made for their representation in the national councils. When afterwards by numerous emigrations, the colonists had acquired a more respectable establishment; when their charters had given permanence to their possessions, and the force and wisdom of the mother-country were liberally exerted in favouring their prosperity; when, as a title to these benefits, they industriously procured the insertion of a clause in their charters, importing that they were still to be considered as Englishmen; and when, in

* Price's Observations on the Nature of Civil Liberty, p. 6,—19.

return for such protection, they submitted to those impositions which, though not profitable to Great Britain, fully established the principle of taxation by parliament; at these periods no one can assert that their rights were invaded, or not duly consulted.* But when the mother-country, exhausted by a protracted war, looked to its wealthy and flourishing colonies for relief; then these pleas were advanced, which never were, which never could have been before resorted to, and which now could only be justified by the populousness and strength which America had derived from the protection of Great Britain. The same arguments, if true in the abstract, would equally apply to the Isle of Man, to Nevis, or the most diminutive of the colonies; if the application depended merely on force, they would either suppress the spirit of colonization, or indicate so clearly the only means of securing subjection, that it would become a rule of policy to abandon colonists to their fate, with unsolicitous apathy, or to prevent their future independency by damming up the sources of prosperity.

SUCH principles had never regulated the practice of the British Government; and the ministry, who thought of imposing a tax on America, could not be expected to foresee the effects which afterwards resulted from the attempt. Crown lawyers could only reason from the usage and experience of past ages; the cabinet had no other guide: no warning voice raised itself in the house of commons; but the measure was suffered to pass through in silence, as one of those plans of external regulation,

* See Chalmers's Political Annals, chap. ii.

CHAP.
VII.

which proceeded rather from the executive than the deliberate power, and where concurrence is given without steadfast examination.

WHATEVER cogency may now be ascribed to deductions drawn from isolated propositions, in a case where success is resorted to as the most convincing argument, the right of taxing America seemed at this period so incontestible, that any person who had insinuated the possibility of opposition before the measures were actually adopted, would have been derided as the wildest of speculists. Whether the ministry acted wisely, under all the circumstances of the times, in their attempt to tax the colonies, will be better gathered from the subsequent narrative, and the observations to which it gives rise, than from an accumulation of objections and replies.

Govern-
ments of
Canada.

THE expulsion of the French from North America, which afforded so much satisfaction to all parties in the treaty of peace, was, in fact, an error in politics, which soon produced its own punishment. Canada having been retained as more than equivalent to the conquests ceded in the West Indies, government was anxious to prove the choice judicious, by forming such establishments as would most speedily and effectually produce advantageous returns to the country. The conquered territory was divided into three governments, Quebec, East Florida, and West Florida, * each of which had its boundaries precisely assigned, and its functions so regulated as to present the greatest probability of eventual benefit. With becoming moderation and prudence, the Bri-

7th Oct.
1763.

* There was besides a new West India Government, called the Government of Granada, extending over that Island, the Grenadines, Dominica, St. Vincent, and Tobago.

tish ministry did not include great part of the ceded lands in these governments; lest the Indians, who were extremely irritable, should take umbrage at seeing their country minutely parcelled out by the colonists.

CHAP.

VII.



BUT when the authority of the French ceased in Canada, neither their influence nor their enmity left the shores. They had always conciliated the good-will of the Indians in a degree superior to the English settlers. Their establishments were military, and their spirit of commerce not being so extensive, they had merely participated in the rights of hunting with the natives. The British Americans, arrogating to themselves an exclusive possession of the territory; by force, by fraudulent conveyances, and other acts of chicanery, grounded on the abuse of treaties, expelled the Indians, not only from their hunting grounds, but even from their homes.* The French jesuits had acquired a considerable ascendancy over the minds of these savages, and, soon after the peace, began to exert it to the prejudice of the British settlements.

Intrigues
of the
French in
Canada.

INSTIGATED by these emissaries, the Indians presented some well founded complaints of incroachments made by the colonists, and protested against any title to the lands occupied to their prejudice, which might be derived from deeds, which they alleged to have been fraudulently obtained. The governors to whom these complaints were addressed, evinced a disposition to treat them with due attention; but

1763.
Indian
war.

* See Pownall's Administration of the British Colonies, vol. ii. p. 174, 186, et seq. And imputations very discreditable to the honour and humanity of the British Americans, in their conduct towards the Indians, are advanced by Dr. Tucker in the Epistle Dedicatorial to his fifth Tract on American Subjects.

CHAP.
VII.
3763.

the Indian deputies after stating their grievances departed, and prepared to commence an extensive plan of hostilities, which they had previously concerted. Their project was to assemble all their forces to make an attack on the back settlements in harvest-time, and to complete the ruin of their enemies by fire and indiscriminate slaughter. This enterprize failed in part, through the too great ardour of some young Indians; but was executed to a dreadful extent, and with a perseverance and combination which evidently proved they had European advisers. They spread such terror and destruction through the back settlements, that all the frontier country of Pennsylvania, Maryland, and Virginia, was deserted; and by plundering and murdering the itinerant dealers, and intercepting convoys of merchandize, did great injury to the trading towns in America. They succeeded in taking several forts in the Canadian territory, and butchered the garrisons without mercy.

RECOVERING from their consternation, the British prepared for defence, and sent reinforcements to several forts, which were regularly blockaded. The savages displayed unwonted resolution and perseverance: they were well disciplined, never afforded an easy conquest, and sometimes gained the victory, though opposed by the superior tactics of European troops. Captain Dalyel, who attacked them near Fort Detroit, was killed, his detachment compelled to retire; and colonel Bouquet, marching to the relief of Fort Pitt, formerly Fort du Quesne, was furiously assailed by the savages, whom it required all his skill and resolution to repulse, and, though victorious, he was glad to reach the place of his destination.

tion after sacrificing his baggage, and great part of the supplies intended for the garrison. Near the carrying place of Niagara, five hundred Indians surrounded an escort, and slew seventy privates, besides serjeants and commissioned officers. Notwithstanding these successes, when the forts were put in a proper state of defence, all apprehension of danger speedily subsided.

CHAP.
VII.
1763.

Governor Sir William Johnson displayed great address in detaching the Indians of the six nations from the confederacy, and gaining their assistance against those who still persisted in hostilities. Having surrounded and taken prisoners a party of Delaware Indians, he brought the Senecas to terms of peace; and after some few insignificant contests with detachments of the other tribes, the flames of war were finally extinguished. ²

7th Sep.

Mar. 1764.

3d April.

WHILE this contest was raging in America, a regulation made in Great Britain for imposing a restraint on smuggling, was extended to their coasts. The revenue being greatly defrauded by the arts and perseverance of contraband adventurers, it was judged expedient, at the termination of the war, to put in commission several small ships, with cutters and tenders, which were stationed on the different coasts of Great Britain and Ireland. The officers who commanded them were invested with powers similar to those delegated to revenue officers, and took the same oaths.

Resolutions
for the pre-
vention of
smuggling.

IN Great Britain and Ireland, where an enlarged spirit of commerce produces a just system of conduct, the distinction between the fair merchant and the smuggler is strongly maintained,

² Smollett's complete History of England, vol. xvi. p. 264, 409. Bouquet's Historical Narrative of the Expedition.

CHAP.

VII.

1764.

and whatever penalties the illicit trader may incur, he meets neither pity nor countenance from the respectable part of the community. In America and the West Indies, the notions were widely different; nor was their judgment intirely founded on selfishness or dishonesty. The trade from the West Indies to the Spanish settlements, though totally contraband, not only supplied the colonies with specie, which could not be derived from Great Britain, but formed a capital market for numerous commodities received from the mother-country, and enabled the North Americans to traffic advantageously with the West India Islands, and to pay in money their taxes and duties. The extent to which the practice of smuggling was carried, both in America and the West Indies, was in a certain degree prejudicial to the revenue, and demanded regulation; but the total suppression of contraband trade was inconsistent with the interest of the colonies or of the mother-country. Any system, long and advantageously pursued to such an extent as to be sanctioned by the majority both in numbers and respectability, is not to be contemplated as a mere abstract question of propriety; but the habits, powers, and dispositions of the parties concerned, should be studiously examined, and leniently considered, in all regulating acts. The powers of government ought also to be correctly appreciated. Such measures should be adopted as will not occasion sudden discontent, or violent and durable opposition; and in all cases, even when positive crimes are to be repressed, such a line of conduct should be adopted as will leave to the sufferers no just ground of complaint.

THE extensive coasts of America were peculiarly favourable to the practice of illicit trade; and

and the disposition of all ranks of men combining with their habits and necessities to encourage it, force alone could effect its suppression. It may be fairly doubted if force, used to deprive an individual of his acquisition, where no shame attends the loss, is a fit instrument of commercial regulation; but where such unpopular means are employed, they should be only intrusted to persons so carefully selected as to prevent the imputation of undue exertion. Naval men, though most fit in one respect, were utterly unqualified in another: the spirit of enterprize which made them useful in war, rendered them dreadful in peace, and the same disposition which constituted their glory when employed against the enemy, was the foundation of numerous complaints when used against the citizen. It was speedily alleged, that the fair and clandestine trader were equally exposed to violence; that the naval officers were unacquainted with the custom-house laws, and therefore made many illegal seizures; while the American traders having no redress but from England, the tediousness and difficulty of obtaining it, left them, in fact, without relief. The merchants complained of the stagnation of commerce occasioned by the suspension of intercourse with the Spanish settlements: an enmity against the officers of the navy, originating in their new employ, gained ground, and was assiduously maintained by the abusive and insulting paragraphs which daily issued from the press.

WHILE such was the state of the public mind in America; while the yell of Indian carnage was yet in their ears, and the smoke of their ruined habitations yet before their eyes; their rage and despair were further inflamed by the

Effect of
the proposed tax-
ation on
the Americans.

CHAP.

VII.

1764.

arrival of the British resolutions for imposing taxes. A more unfavourable moment could not have been selected. The unaccommodating regulations on trade, gave no hope of compromise or evasion of the new duties. The Americans saw in these resolutions the first appearance of a general and extensive plan of taxation, the limits of which being concealed from their sight, were magnified to their apprehension. They determined therefore not to wait for the gradual exposure of the plan to combat it by parts, but to strike at once at the basis, by denying the right of the mother-country to impose taxes on the colonies, which not being represented in parliament did neither really nor virtually consent to the imposition.

Conduct
of the New
England
provinces.

31st Dec.
1764.

IN these, and all the subsequent transactions of the American revolution, the New England provinces, and Massachusetts in particular, took the most active and leading part. They passed resolutions against the proposed laws, which were transmitted to their agents, and to the board of trade, and laid before the privy council.^a From these circumstances it has been asserted and believed, that the natives had formed, long before this period, a deliberate system of separation from Great Britain. This opinion is in part true; but the desire of independence was limited to persons so inconsiderable, both for number and situation, as not to afford reasonable grounds of apprehension. The inhabitants of the northern colonies never lost the original inflexibility of their republican ancestors, nor the captious spirit of the ancient sectaries. So early as 1754, there were men in

^a Stedman's History of the American War, vol. i. Introduction.
—Almon's Collection of Papers, &c. relative to the war with America, vol. i.

these,

these, and some of the other colonies, who held independence in prospect, and who were determined to seize every opportunity of promoting it, and increasing their numbers. ^b The proposed taxation afforded these malecontents an opportunity of combining the inhabitants of all the colonies in such measures, as would ultimately favour their views; and this opportunity they diligently and assiduously improved. They had now a pretence for appealing to the sense of the country at large, against the exertion of authority by Great Britain, without hazard of offending the most loyal or respectable Americans. They easily engaged their fellow citizens to desist from the use of those luxuries, with which they had been hitherto supplied from the mother-country; and thus uniting the spirit of revenge and injury with the plausible prettexts of economy, established a principle of opposition and resistance, which could not fail of producing, in time, the most permanent and extensive effects. ^c

It was also resolved to send Dr. Franklin to England, as agent for America, to exert his talents and influence in defeating the measures complained of. ^d This choice of an agent had great effect on the subsequent transactions of the colonies. Franklin, bred to the trade of a printer, and at an early period of life obliged to rely on himself alone for subsistence and advancement, was rendered cautious, attentive, and circumspect: though his efforts had been rewarded by a competent fortune, and the possi-

Dr. Franklin sent to England.

His character.

^b Examination of Joseph Galloway before the house of commons, p. 2.—Andrews's History of the American War, p. 11.

^c Andrews's History of the American War, vol. i. p. 36.—Stedman's History, vol. i. p. 23.—Almon's Collection of Papers, &c. vol. i. p. 5.

^d Life of Dr. Franklin,

CHAP.

VII.

1764.

mastership of America, he did not resign himself to indolence, but still pursued the employments of his younger years with unabated perseverance. An affectionate attachment to literature and natural philosophy acting upon a bold and ardent genius, rendered him daring and adventurous; but left him all that minute attention and patient calmness, which combines trifling accidents, and little causes, in the promotion and perfection of the greatest designs. His eloquence was simple, but nervous and commanding, and both in speaking and writing abounded with those brief apophthegms, which make a forcible impression on the mind, subjugate the judgment, and are never eradicated from the memory. The projects of Franklin, which in another would have seemed exaggerated and preposterous, were by him so well planned and so industriously pursued, that they never failed to produce the most extensive, and, to all but himself, unexpected results. His fortune, his knowledge, and his great work the American revolution, are convincing and incontrovertible proof of the immense labours which may be achieved by the union of genius, judgment, and perseverance.

CHAPTER THE EIGHTH:

1765.

State of Ireland. — Retrospective view of its constitution and government. — State of parties at the king's accession. — Disputes in the cabinet. — Conduct of lord Halifax the lord lieutenant. — Outrages of the lower class of people. — The earl of Northumberland lord lieutenant. — Debates on the pension list. — State of foreign powers. — The French seize and restore Tortuga. — Spain commits irregularities — but makes satisfaction. — Affairs of Poland and Russia. — Meeting of the British parliament. — Taxation of America. — Debates on General Warrants. — On informations ex officio. — The Isle of Man annexed to the realm. — Regency act. — Insurrection of silk weavers. — Negotiations for a change of ministry. — Meeting of the ministry in Downing Street, and terms proposed by them to the king. — Rockingham administration formed. — Death of the duke of Cumberland — and of prince Frederick.

THE uninterrupted series of events has hitherto prevented a due attention to the affairs of Ireland, which from the beginning of the reign excited an unusual degree of interest. The government of Ireland, as connected with Great Britain, was daily becoming more difficult: an enterprising spirit of liberty on one hand, and an equitable desire to temper the strictness of rule by the mild operation of beneficent laws and usages on the other, occasioned many perplexed questions of right and

CHAP.
VIII.
1765.
State of
Ireland.

CHAP.
VIII.Retrospect
of the con-
stitution
and go-
vernment.

and policy, and favoured the views of men who aimed, by means of popularity, to attain the heights of political elevation: as the disputes to which their efforts gave birth are of considerable interest, a brief retrospect will be necessary.

FROM the first conquest of Ireland to the reign of Henry VII, the mutual intercourse between the countries was not established by a system of extensive and permanent utility; chance and force directed the operations of the crown and of the subject, and though the laws of England were declared the rule of government, still the people were but imperfectly restrained or protected by them; and no recurrence to the king was necessary to sanction the laws which originated in Ireland.

THIS anomaly in legislation was productive of much inconvenience and oppression; and Sir Edward Poynings, lord deputy in the tenth year of the reign of Henry VII, framed, at the request of the parliament and the people, the celebrated statutes known by his name. That part which related to the formation of laws, ordained that before a parliament should be convened, the chief governor and council should certify to the king, under the great seal, the consideration and causes, and the articles of the acts to be proposed: and when the king in his council of England should have approved or altered such acts, and certified them back under the great seal of England, and given leave to summon a parliament, then the same should be held, and the acts so certified, and no other, proposed, received, or rejected.

THIS act gave stability to the constitution, facilitated the intercourse between the sovereign and the subject, and reconciled the different

ferent views of the two nations, by preventing precipitate determinations on their mutual or peculiar interests; but as its restrictions were found too severe in precluding the framing of any law suggested after the sitting of parliament, the statute of third and fourth of Philip and Mary, C. iv. enacted that new propositions might be certified to England in the usual forms, even after the summons and during the session of parliament.^a Thus a beneficial relaxation took place; the parliament assembled if a single bill was forwarded to England, and the heads of subsequent statutes were transmitted during the session.^b

FROM this period, the benefits of the British constitution were rapidly extended to Ireland, till the rebellion in the reign of Charles I. and the cruel massacres and confiscations which took place during the commonwealth. At the restoration, Charles II. generously waved his right to the forfeited lands, and the parliament of Ireland, in grateful return, vested the revenue, which was in general fully sufficient to answer all exigencies, in the crown for ever.

THE bill most usually sent over from Ireland to the king in council, was a money bill; and the practice was so generally adopted, as to be considered merely of course. Once only an attempt was made, in a critical period of the English history, to impede the operations of government by a popular pretext of exerting the constitutional right of the house of commons to hold the national purse. This was

^a See lord Montmorres's History of the Irish Parliament, vol. i. p. 47, et seq. History of the Political Connection between England and Ireland, p. 92. Hume's History of England, vol. iii. p. 267. Blackstone's Commentaries, vol. i. p. 99, and Christian's Note on this part of Blackstone, p. 103.

^b Lord Montmorres, *ubi sup.*

CHAP.

VIII.

four years after the Revolution, when lord Sydney, chief governor of Ireland; was sent over for the purpose of holding a parliament to regulate the affairs of that kingdom, which had fallen into great disorder. The parliament was summoned in the usual manner, according to Poynings's law: several bills were transmitted from the governor and council to England, and returned under the great seal, two of which were bills of supply. One of them granting an additional excise was passed, but before the first reading the house came to the following resolutions: First, That it was the undoubted right of the commons of Ireland, in parliament assembled, to prepare the ways and means of raising money. Second, That it was and is the sole and undoubted right of the commons to prepare heads of a bill for raising money. Third, That, notwithstanding the aforesaid rights of the commons, they think fit, in consideration of the present exigencies of affairs, and the public necessity of speedily raising a supply for their majesties, to order a bill transmitted out of England, intituled, "An act for an additional excise," &c. to be read, but that it should not be drawn into precedent. — The other bill, "For granting to their majesties certain duties for one year," was rejected, and a resolution entered on the journals, stating as a reason for its rejection, that it did not take its rise in the Irish house of commons.

LORD SYDNEY considering the constitution violated by this proceeding, soon afterwards prorogued the parliament, having first animadverted on their proceedings with considerable severity, and entered a protest against them

On the journals. The judges, both of Ireland and England, on a solemn consultation, declared the claim of the Irish house of commons unfounded in law.

THIS parliament never sat again; but a new legislature fully recognized the principle against which their predecessors had contended. The practice of passing money bills transmitted by the privy council, and returned from England, was afterwards invariably followed; and the Irish parliament so implicitly recognized the principle, that on the 29th of November 1614, the house of commons entered on their journals a note to the lord deputy, "The house of commons, acknowledging the sole power and authority to transmit such bills as are to be propounded in Parliament doth rest in the lord deputy and council, do only desire to be as remembrancers unto his lordship and the rest, touching the acts following, which they humbly offer as meet to be transmitted with such other acts as his lordship and council shall think fit to be propounded in the next session."

THE principle thus acknowledged was not soon again brought into dispute; but during the reign of George I, the turbulent disposition of an opposition in Ireland gave great embarrassment to the ministry, and in the affair of Wood's patent for the coinage of copper,^a completely triumphed over the exertions of government. In this contest the British minister, Sir Robert Walpole, was highly sensible of the disadvantage accruing to government from permitting the important offices of lord primate and lord chancellor to be occupied by na-

^a In 1725.

CHAP.
VIII.

tives; and therefore, when lord Midleton resigned the great seal, West, an Englishman, was appointed in his stead, and on the death of Lindfay in 1724, Boulter bishop of Bristol, an Englishman, filled the situation of lord primate.

THIS prudent arrangement gave more appearance of unanimity to the proceedings of government, till the appointment of Dr. Stone* to the primacy in 1747; soon after which a contest for power between him and Mr. Henry Boyle, speaker of the house of commons, and afterwards earl of Shannon, embroiled the cabinet.

RESIDENCE was not at that period a part of the lord lieutenant's duty, and therefore, except on urgent occasions, the public business was transacted under the auspices of great men in office, who held a commission as lords justices.

BOYLE was a man whose understanding, naturally of the first class, was improved by a long acquaintance with the laws of his country, and whose experience was matured by having long retained a prominent part in the conduct of public affairs: the number of his friends was augmented, and their adherence secured by his affable manners, and the honourable inflexibility of his attachment. Stone, who rose to his dignity under the patronage of the duke of Newcastle, united a supple insinuating address with a presumptuous mind, and insatiable ambition. He was desirous immediately to seize the reins of power, which

* The Reverend George Stone, D. D. was brother of Andrew Stone the confidential secretary to the duke of Newcastle, and by his grace's interest, was appointed dean of Derry, bishop of Fernes in 1740, and, after successive translations to the sees of Kildare and Derry, was raised to the primacy.

Boyle,

Boyle, who maintained his pre-eminence with firmness and dignity, was unwilling to resign. CHAP.
VIII.

IN 1751, the duke of Dorset was appointed lord lieutenant; and he, acting under the influence of the duke of Newcastle, in support of Stone, formed a new junto, of which he was the ostensible leader. This innovation convulsed the cabinet; and the rage of party extending itself over the whole nation, almost every individual ranged himself on one or the other side. The talents and exertions of Boyle were sufficient to embarrass the proceedings of government, and on one question, in the year 1753, he succeeded in obtaining a majority against the ministry; but perhaps his influence was less conspicuous in this advantage, than in preventing the numbers, which were not greatly in his favour, from being inserted on the journals. Upon this occasion he was dismissed with all his adherents.

THESE dissensions, however, so weakened and impaired the energy of government, that the marquis of Hartington, afterwards duke of Devonshire, who was appointed lord lieutenant in 1755, effected a compromise with Boyle, whose friends were re-instated in their offices, and himself, in 1756, advanced to the peerage by the title of earl of Shannon. The prime being thus in a sort of disgrace, made overtures to his rival, and a coalition was effected.

IN 1757, the duke of Bedford was appointed lord lieutenant. He found the house of commons principally governed by certain individuals of family and influence, who returning a majority of members, were enabled to make their own terms with government, and

CHAP.
VIII.

may be distinguished by the description of Men of Influence. During the duke's administration, a new party arose in the house of commons, who arrogated to themselves the name of The Patriots. It was formed, in general, of men of moderate fortunes, but extensive ambition, of middle rank, and great abilities. They professed a decided antipathy to government, and to the overbearing authority of the men of influence, and occasionally lent their aid to one or the other party, as best suited their views of diminishing the power of each. When government was at variance with the men of influence, they ranged on the side of government; but finding themselves abandoned, and the men of influence readily received into favour, they entered into open hostilities with both.

THE hereditary revenue granted to the crown, would, if discreetly managed, have been sufficient to answer all the necessary charges of state: the patriots, sensible that their cause would be more effectually promoted by subjecting the servants of the crown to fiscal embarrassments, made their chief effort to load this revenue with charges, under plausible pretences; nothing answered the purpose better, during the administration of the duke of Bedford, than an act for granting a bounty on corn and flour brought by land carriage to Dublin, which at the same time was a gratifying job in favour of landed men in distant countries. Whether through treachery, supineness, or the fear of opposing so popular a measure as that of supplying the capital with provisions, the men of influence lent their aid, and the lord lieutenant was, at length, induced to sanction the bill. In ordinary years, this bounty amounted to 50,000 L. but in great harvests to a much larger

larger sum. The duke of Bedford, sensible of the diminution which would thus be effected in the revenue, was desirous to limit the duration of its provisions to a term of years; but the popularity of the measure, and the urgent instances of its promoters, induced him to grant it his support. They also promised to establish a fund to repair the deficiency in the permanent revenue; but when they had attained the desired object, never thought it necessary to fulfil their engagement. This bounty was capable of becoming extremely embarrassing to government, as it was not made payable out of the treasury, but out of the revenues *in transitu* in the hands of the collectors of customs in the port of Dublin.

At the accession of the king, the primate, lord Shannon, and Mr. Ponsonby speaker of the house of commons, were lords justices; the lord lieutenant had resided only one year; the lords justices governed the country in subserviency to their own views, and regulated every department without controul. They now attempted to obtain popularity by introducing a new practice, and were joined in this effort by Mr. Malone, chancellor of the exchequer, who in opposition had been highly popular, and resolved to embrace this opportunity of regaining the influence over the public mind, which he had lost by accepting a ministerial situation. The privy council being assembled, a doubt was suddenly suggested concerning the propriety of sending over a money bill, as the rejection of it by the Irish house of commons was anticipated, which would occasion the dissolution of the new parliament, and thus give rise to much dissatisfaction: in support of this opinion, a standing order of the Irish house

Conduct of
the Chan-
cellor of
the exche-
quer.

CHAP.
VIII.

of commons made in the year 1727 was cited. As the lord chancellor (lord Powes) had been previously referred to, and given his opinion that, according to custom, a money bill should be sent, this objection was in fact a surprize. It was obviously a mere attempt to gain popularity; but as a strong party in the council supported the objection, it became necessary for the chancellor and his friends to maintain their opinion. Debates were carried on with great virulence, and party rancour inflamed to its highest pitch. The popular party at length prevailed so far, as to alter the established usage, by sending a bill, not for a supply to the king, but relating to a vote of credit for Ireland. This was open to every objection which applied to the usual bill, and was besides unnecessary, as the appropriated duties already voted by parliament, would not expire till December 1761.^s

Arrival
and conduct of
lord Halifax
as lord
treasurer.

6th Oct.
1761.

12d Oct.

IN this position of affairs the duke of Bedford was recalled, and succeeded by the earl of Halifax. The exalted character of this nobleman, his integrity, independence, and intrepidity, warranted sanguine expectations of a vigorous and successful administration. On his arrival, he received the usual compliments with dignified graciousness, and his deportment, joined to the reputation of his talents, instantly gained a degree of popularity which his subsequent conduct enabled him to retain.^h He met the parliament with a judicious and sensible speech, in which he strongly recommended unanimity, and a forbearance of public heats and private animosities. He secured his popularity by earnestly enforcing the ne-

^s Lord Bowes' Letters to Dodington.

^h Letter from lord Bowes to Mr. Dodington, 16th Oct. 1761.

cessity of attending to the natural advantages of the country, agriculture and the linen manufactory; and recommending a proper regard to the Protestant establishment, by encouraging the charter schools.

While he persevered in this line of conduct, there was no probability that he would become subservient to the views of any party; an insidious attempt was therefore made to diminish his reputation for independence, by a resolution carried in the committee of accounts, and afterwards passed in parliament. It stated the appointments of the lord lieutenant to be inadequate to the dignity of the office, and the house therefore requested his majesty to grant such an augmentation as would make them amount to sixteen thousand pounds. The liberality of this vote claimed the thanks of lord Halifax, he applauded their motives, but said, as it had been his duty in the course of the session to propose plans attended with great public expence, and to enforce economy, he could not, without pain, submit that the establishment, already burthened in consequence of his suggestions, should be further charged for his particular profit: but while he disclaimed the application of their liberality to himself, he recommended that the augmentation should be provisionally made, and conferred on his successor. This dignified and manly conduct disarmed faction; the business of the session proceeded with uninterrupted harmony; liberal votes were passed respecting the several objects mentioned in his excellency's speech,ⁱ and he declared himself perfectly satisfied with

26th Feb.
1762.

ⁱ See proceedings of the Irish parliament in the different periodical publications.

CHAP.
VIII.

his situation, superior to party, and resolved that the king's authority should not suffer in his hands.^k

Outrages
of the
lower class
of people.

THE internal tranquillity of Ireland was disturbed by a band of desperadoes, sometimes called Levellers, from their levelling the walls and ditches under pretence of restoring the commons to the poor; and at other times White Boys, from wearing a shirt or white garment over their cloaths. The union of these banditti was secured, and the increase of their numbers favoured, by oaths of secrecy, and by wreaking their vengeance on those who refused to concur in their measures. They continued to harass government for many years, and the civil and military power were alternately employed against them in vain.

1763.

LORD HALIFAX was succeeded in the viceroyalty of Ireland by the earl of Northumberland. The insurgents in different parts of the kingdom, and even in Dublin, increasing to an alarming degree, and committing many dreadful atrocities, a committee was instituted by the house of commons to examine into the causes of their outrages; but their inquiries produced no beneficial effects. Lord Shannon was now grown old, and appeared desirous only of repose: the primate was united with the lord lieutenant, and the speaker still acted in general under his influence.

3rd Oct.

Discussions
on the pen-
sion list.

BUT although this disposition in the leaders of the men of influence appeared to promote tranquillity, the violence of party continued to augment; and among other topics of popular invective, the pensions on the Irish establishment, furnished a constant theme of censure. A copy of the pension list was obtained, and be-

^k Letters from lord Halifax to lord Melcombe.

came the subject of virulent discussion in both kingdoms; it was described as a never-failing source of undue influence and corruption. A motion was made in the house of commons to address the king for a writ of *scire facias*, to inquire into the legality of the patent by which the office of chancellor of the exchequer was held. This motion was lost, but the amount of the pensions was pressed on the house; and one of a thousand pounds, granted in the name of George Charles, but in fact paid to M. de Viri, the Sardinian ambassador, for his services in the negotiation for peace, was selected as a peculiar topic of disapprobation. Mr. afterwards lord Pery, in an able speech, moved for an address. He stated the increase of pensions since the reign of George I. and the augmentation of that and the military establishment since the year 1756, which had been more than doubled. The arguments on the other side tended to prove that the kingdom of Ireland had scarcely suffered by the war, while her territory and commerce had been protected at the expence of Great Britain, and therefore it was reasonable to apply her funds in time of peace to relieve the burthens of England. The motion was lost on a division; and a loyal address carried in both houses, expressing disapprobation of the daily libels, which violated every rule of decency, order, and government, and tended to excite a spirit of discontent and disobedience to their sovereign, the laws, and the constitution.¹

20th Dec.

¹ Debates of the Irish Parliament, Smollet's History of England, vol. xvi. p. 282 et seq; Inquiry into the Legality of Pensions, by Alexander McAnlay; Thoughts on the Pension List of Ireland, with the list annexed;—and many other publications.

CHAP.
VIII.Agitation
of the pub-
lic.20th Jan.
1764.State of
foreign
powers.The
French
seize Tor-
tuga :
1st June.

ALTHOUGH the efforts of opposition failed in parliament, the public mind was violently agitated. The insurgents, under various names, as Levellers, White Boys, Oak Boys, Hearts of Steel, continued their excesses, and directed their persecutions against all who by exacting or paying tythes in kind, became obnoxious to them; and in many parts of the kingdom the fields were deserted. In Dublin, the topics which agitated the metropolis of Great Britain found an equal interest; the guild of merchants voted their freedom to Mr. Pratt, afterwards lord Camden, and the corporation presented him with the freedom of the city in a gold box.^m

THE European powers whose conduct was likely to affect Great Britain, presented no appearances which could afford serious disquietude. The French king, immersed in sensuality, and incapable of providing resources for the numerous debts which swallowed up his revenues, was obliged to employ those arbitrary acts of injustice which shew the weakness of government, and tend rapidly to its destruction. The disputes between the crown and the parliaments were now arising, which afterwards begat a spirit of political disputation, productive in the end of the most baleful effects.

SOME events, however, in the course of the year, seemed to threaten the tranquillity of Great Britain. A French ship of sixty-four guns, and three smaller vessels, suddenly appeared before Tortuga, or Turks Island, an in-

^m In this view of the affairs of Ireland, besides the authorities cited, and the ordinary sources of intelligence, I have been furnished with much interesting private information.

considerable

considerable possession in the West Indies, valuable only for its salt ponds, took the English inhabitants prisoners, and assumed possession of the place. The intelligence of this unjustifiable attack, occasioned a great sensation in London; but the court of Versailles, on a representation by the British ambassador, disavowed the proceedings in the most explicit manner, and promised an honourable indemnification, the terms of which were to be adjusted by the French governor of St. Domingo, and the British governor of Jamaica. Some jealousies were entertained that the French had encroached on Newfoundland, and were fortifying St. Pierre, contrary to the treaty of peace; but on the inquiry they proved to be unfounded.

CHAP.
VIII.

But restore
it.

COMPLAINTS were also made of the Spanish governors, for interrupting the British logwood cutters, and of a Spanish commodore for the seizure of a British ship in the Mediterranean; but in both cases ample satisfaction was afforded without delay.

Spain com-
mits irre-
gularities:

But makes
satisfac-
tion.

THE king of Prussia, whom the defection of England had left without an ally, was anxious not to offend the house of Austria, and, at the same time, desirous to strengthen his interest by new connections; he therefore made no efforts to prevent the archduke Joseph from being elected king of the Romans, and pressed the completion of a treaty with Russia. The death of Augustus III, opened new views to the ambitious mind of Catherine, who determined to secure her ascendancy in Poland, by raising her favourite, count Stanislaus Poniatowsky, to the throne. With great dexterity she precluded the interposition of France and Austria, and prevailed

Affairs of
Poland.

3d April.

Oct. 5th,
1763.

CHAP.
VIII.

Mar. 1764.

prevailed on Frederick to second her views, by concluding a treaty of guaranty and alliance, offensive and defensive: the empress and the king of Prussia jointly engaged to prevent the crown of Poland from becoming hereditary, and by a secret convention, the king covenanted to promote the election of Stanislaus Poniatowsky. All opposition being suppressed by the entrance of the Russian troops into Poland, and the march of the Prussians to the frontiers, the election took place.

7th May.

The Polish nobility enjoyed a privilege called *liberum veto*, by which a single nobleman was enabled to stop the deliberations of the diet, and even dissolve it. To avoid the impediments which might arise from the exercise of this right, the assembly convened for the election of a king, was changed into a diet of confederation, in which the *liberum veto* was suspended, and the questions were decided by a majority of voices.ⁿ Poniatowsky was not chosen by the Poles on his first nomination without considerable opposition: the violation of their ancient rights, occasioned a strong protest, which was signed by twenty-two senators and forty-five nuncios: some of them even took up arms, but were defeated by the Russian troops. Another confederation for the final election being assembled, Poniatowski was unanimously chosen, and crowned by the name of Stanislaus Augustus.^o

3d July.

7th Sept.

And
Russia.

A political event which occurred this year in Russia, though it did not affect the state

ⁿ For an account of the constitution of the Polish diet, the *liberum veto*, and mode of electing a king; see Coxe's Travels in Poland, &c. vol. i. c. v and vi.

^o Œuvres du Roi de Prusse, vol. iv. p. 169, et seq. Life of Catherine II, vol. i. c. iv. Wraxall's Memoirs of the courts of Berlin, &c. vol. ii. letters 19 and 20.

of Great Britain, is yet too interesting to be passed over in silence. Ivan Antonovitch, grandson of Ivan V, joint heir of the crown of Russia with Peter the Great, was considered at the death of the empress Anne, undoubted successor to the empire. His infancy favoured the ambitious projects of Elizabeth, who deposed him when only a year old. He was afterwards removed from one place of confinement to another, according to the dictates of fear or convenience, till at length he was lodged in the fortress of Schlusfelburg, in a small vaulted prison where the light of day never entered. Two officers were placed in the room as a guard, and they were for some time forbid to converse with him, even to answer the slightest question. He was kept in a state of ignorance so deplorable, as to give room for a report that he was an idiot; yet his claim to the throne was the source of many conspiracies. It was said, that the late emperor visited him in prison, and, convinced of the injustice done to his understanding, and the validity of his claim to the throne, promised to make him his successor. The insecurity of Catherine's title gave sufficient encouragement to plots, and formed a reasonable basis of alarm and extraordinary precaution; and these sentiments received a new impulse from the detection of a conspiracy in the summer of 1764. Though there was no appearance that the prince had countenanced these attempts, it was judged necessary to order his guards, in case an insurrection should be excited, which threatened danger, to put him instantly to death. One Vassily Mirovitch, second lieutenant in a regiment, part of which was in garrison at the tower of Schlusfelburg,

formed

CHAP.
VIII.
1764.

formed a wild project of rescuing the prince from captivity, and placing him on the throne. In prosecution of this design, he corrupted about fifty of his foldiers, and made an assault on the prison, with some appearance of success. The conspirators had secured the governor, and were going to force the door of Ivan's dungeon, when it was thrown open, and Mirovitch permitted to enter unmolested. The officers placed with the prince had consulted together on the emergency, and thinking themselves unable effectually to oppose the insurgents, embraced the dreadful alternative with which they were intrusted. Their unfortunate victim was asleep; but being waked by the noise of firing, and hearing the threats of his two assailants, endeavoured to move them with prayers and entreaties. Finding these ineffectual, he gathered strength and courage from despair, made a vigorous resistance, seized one of their swords and broke it: during the struggle, the other stabbed him behind, and threw him down; he who had lost his sword, now plunged his bayonet into the prince's body, and both repeated their blows till he expired. Such was the spectacle which saluted the eyes of Mirovitch when he entered the dungeon. He was struck with horror, and no longer thought of self-preservation, but yielded up his sword to the governor, who was yet his prisoner, exclaiming that he had now nothing to do but die. The conspirators were tried before the senate: Mirovitch was sentenced to death, and

26th Sept. executed; the inferior agents were doomed to different degrees of punishment proportioned to their activity in the enterprize. The fermentation of the public mind on the death of

of Ivan, shewed that Catherine's fears of a successful insurrection were not ill-founded, and some authors have endeavoured, though without the least apparent foundation, to prove that the whole transaction was a scheme of the empress, and that she sacrificed her engines to her own reputation.^p

CHAP.
VIII.
1764.

THE events of the continent furnished the leading topics of the king's speech to parliament. He inferred from them that the nation had reason to expect the duration of that peace which had been so happily established, and which it was his resolution strictly to maintain. In the following observations, his majesty alluded to the state of America, and the project of taxing that part of the British dominions: "The experience I have had of your former conduct, makes me rely on your wisdom and firmness in promoting that obedience to the laws, and respect to the legislative authority of this kingdom, which is essentially necessary for the safety of the whole; and in establishing such regulations as may best connect and strengthen every part of my dominions for their mutual benefit and support."

10th Jan.
1765.
Meeting of
Parliament.

THE ministry made an offer to the Americans, that any other mode of contributing the sum intended to be raised would be accepted, and the stamp duty laid aside; but the colonial agents rejected this accommodating proposal, replying, that they were ordered to oppose the bill, if brought into the house, by petitions, questioning the right claimed by parliament to tax the colonies. They were, in fact,

Taxation
of America.

^p See Life of Catherine II, vol. i. chap. 1 and 4, and Appendix No. x. Coxe's Travels in Poland, &c. vol. iii.

CHAP. eager to enter into a discussion of the principle in dispute, and not to permit any compromise. The minister was determined not to recede from the claim of the British legislature to impose and ascertain the quantum of taxation; but he was willing to leave the mode of contribution to the decision of those who were to contribute.⁹

7th Feb.

FIFTY-FIVE resolutions of the committee of ways and means were agreed to by the house, and afterwards incorporated into an act of parliament for laying nearly the same stamp duties on the colonies in America, as were payable in England. This act passed the house of commons almost without debate, two or three members spoke against it, but without force or apparent interest, except a vehement harangue from colonel Barre, who in reply to an observation of Mr. Grenville, in which he described the Americans as children of our own, planted by our care, nourished by our indulgence; said, "Children planted by your care? No! your oppression planted them in America; they fled from your tyranny, into a then uncultivated land, where they were exposed to almost all hardships to which human nature is liable, and yet, actuated by principles of true English liberty, they met all these hardships with pleasure, compared to those they suffered in their own country, from the hands of those who should have been their friends. They nourished by your indulgence? They grew by your neglect of them: as soon as you began to care about them, that care was exercised in sending persons to rule over

⁹ Almon's Collection of Papers, vol. i. p. 5. Remembrancer, vol. iii. p. 253. See also Burke's Works, vol. i. p. 365, 545.

them,

them, who were, perhaps, the deputies of some deputy, sent to spy out their liberty, to misrepresent their actions, and to prey upon them; men, whose behaviour, on many occasions, has caused the blood of those sons of liberty to recoil within them. They protected by your arms? They have nobly taken up arms in your defence, have exerted their valour amidst their constant and laborious industry, for the defence of a country, whose frontiers, while drenched in blood, its interior parts have yielded all its little savings to your enlargement; and the same spirit which actuated that people at first, will continue with them still; but prudence forbids me to explain myself further.

CHAP.
VIII.
1785.

THERE was but one division during the progress of the bill, and then the minority did not amount to more than forty.* The petitions presented against it, though recommended by an order of council, were not attended to,† and the house refused to receive four petitions from the agents of Connecticut, Rhode Island, Virginia, and Carolina, besides one from the traders of Jamaica.‡ In the house of lords the act passed without debate, division, or protest; and having thus received the sanction of both houses, was ratified by the royal assent.

15th Feb.

22d Mar.

EARLY in the session, an attempt was made

29th Jan.

* Burke's Works, vol. i. p. 559. It is to be observed, colonel Burke's speech above quoted is not preserved in Debrett's Parliamentary Collection; and Burke avers, that he sat in the gallery during the progress of the bill, *and never heard a more languid debate.* See Burke's Works, ubi sup.

• Burke's Works, vol. i. p. 366.

† Idem, p. 547.

• Idem, p. 559.

CHAP.

V. 11.

Debates on
general
warrants.

4th Mar.

On in-
formations
ex officio.The of
Man an-
nexed to the
realm.

to obtain a resolution of the house of commons on the illegality of general warrants; but after a long and violent debate, the question was lost by a majority of forty only.* Another motion of a popular nature, for restraining the practice of filing informations *ex officio* by the attorney general, was also negatived.

It was found expedient for the prevention of frauds committed by smugglers, to annex the Isle of Man to the realm. This small territory formed a domain of a singular tenure:† it was part of the crown, but not of the realm of England; it was under the allegiance of the king, but governed by its own laws and customs. In these respects it resembled Jersey and Guernsey; but in those islands the king appointed governors, and retained the jurisdiction of the admiralty; the superintendence of civil justice vested in the king in council, and he could prosecute a suit in his own name in any of the courts of England; in a word, the prerogatives, royalties, and jurisdiction of those islands rested in the crown, and the writs from the superior courts at Westminster were allowed to operate in them. But in the Isle of Man the king had no courts, no officers; and no suits arising there, whether at the instance of the party or of the crown, were determinable in England. It was even doubted if the great prerogative or mandatory writs, which issue to all places under subjection to the crown of

* 224 to 184—Debrett's Collection of Debates, vol. iv. p. 249. This debate caused a considerable sensation out of the house, and a hand bill was circulated, in which an eminent lawyer was asserted to have said, "I think it better to fall with the laws than to rise on the ruins of them." Gentleman's Magazine, 1765, p. 94.

† 4th Instit. 253.

England, would run there.^z This singular inheritance had been for nearly four centuries vested, by parliamentary charter, in the family of the duke of Athol.

CHAP.
VIII.
1765.

IN pursuance of an order of the lower house, the chancellor of the exchequer introduced a bill for more effectually preventing the mischiefs arising to the revenue, from the illicit trade to and from the Isle of Man, by which the island was intended to be put intirely under the powers of the revenue laws of England.

21st Jan.

BEFORE the second reading of the bill, the noble proprietor and his duchess presented a very moderate and energetic petition: after stating their reluctance to disunite, from the honours of their family, this ancient and princely patrimony, the reward of the services and monument of the virtues of their ancestors, they threw themselves with dutiful submission upon the pleasure of their sovereign, and the disposal of parliament, and only requested such a compensation, as the importance of the sacrifice to themselves, and of the acquisition to the nation, should seem to demand. They were heard by council on this petition, and in consequence of a communication with government, it was thought advisable that the island should be revested in the crown. The sum of seventy thousand pounds was given as a full compensation; and a bill for the purpose of revesting the island was passed, whereby the whole isle, with all its jurisdictions and interests, and all its dependencies, were vested in the crown, reserving

13th Feb.

6th Mar.

^z There is no instance of a prerogative writ having been sent and returned from thence: there is no officer to whom it could be directed.

CHAP.
VIII.
1765.

only to the proprietors their landed property and rights in and over the soil, as lords of the manor, together with the patronage of the bishopric, and other ecclesiastical benefices in the island.^a This act was immediately followed by one for protecting the revenue.

Regency
act.

24th April.

DURING the session, the king was attacked by an alarming illness: on his recovery, in a speech from the throne, he proposed to the consideration of parliament the expediency of vesting in him the power of appointing, from time to time, by instruments under his sign manual, either the queen, or any other person of the royal family usually residing in Great Britain, to be guardian of his successor, and regent of the kingdom, under proper restrictions, till the successor should attain the age of eighteen.

6th May.

To this speech a loyal address was returned, and a bill passed the house of lords framed according to the terms of the king's proposition. In the house of commons, a motion was made for an address requiring the king specifically to name the person or persons to whom, in case of his decease, he would leave the care of his successor, and the regency of the kingdom; alleging, that it was not warranted by precedent, or agreeable to the principles of the constitution, to vest these important offices in any person not particularly named and approved of in parliament. This motion being negatived, a question was raised on the construction of the words, "or any other of the royal family."

^a See Blackstone's Commentaries, vol. i. p. 105.—I have been assisted in this account by some accurate private information, and am indebted to the same person for the appendix, which contains a more clear and ample detail of the ancient state of the life of Man.

The answer given and sanctioned by the ministry was, that it meant the descendants of George II. Such an interpretation having an obvious tendency to exclude the princess dowager of Wales, could not be supposed agreeable to the king; and on the next reading of the bill, the name of the princess was expressly inserted as an amendment. The debate on this occasion was so violent and acrimonious, that the friends of the princess did not think proper to produce another motion for enabling her to be one of the council of regency. The bill thus amended was returned to the lords, and passed, though not without opposition.^b

9th.

On the day when the king in person gave his assent to the regency bill, a mob of journeymen silk-weavers went to St. James's, with black flags, for the purpose of petitioning for relief, under pretence that they were reduced to a state of famine by the encouragement of French silks. They behaved in a most tumultuous manner, surrounding both houses of parliament, and insulting many of the members. They again assembled on the two following days, and proceeded to commit other outrages; but were at length repressed by the posse comitatus and the military, who were called in to aid the civil power. A proclamation was issued for the suppression of riots, and some of the parties were brought to condign punishment.

15th.
Insurrection of silk-weavers.

The ministry had never been popular; and they had now perceptibly lost the king's confidence: their conduct on the regency act, betrayed an inclination, if not to oppose, at

Negotiations for a change of ministry.

^b Parliament was prorogued the 25th of May. The debates are not detailed in a satisfactory manner in any publication.

CHAP.
VIII.

least not to favour the inclinations of the sovereign. It is even averred, that several posts of honour and emolument were bestowed in opposition to their advice, and without their knowledge, which produced offensive remonstrances, in consequence of which the king, by the recommendation of lord Bute, determined to dismiss the ministers.^c This account forms part of the fable of lord Bute's secret influence, which was so long implicitly believed, and which still affords an easy solution of every political problem, for which no satisfactory explanation can be found in the ordinary details of diurnal occurrences.

ALTHOUGH it may not be true that lord Bute interfered in the transactions of the cabinet, yet the jealous apprehension on that subject probably occasioned the ministry to do many things offensive to the king. Lord Temple, both in the house of lords and in private, had repeatedly condemned lord Bute's secret influence; he was about this time reconciled to his brother Mr. Grenville, and though they professed the reconciliation to be merely a family transaction, it could not fail of producing a considerable effect on the political conduct of Mr. Grenville.^d

35th May. SUCH was the state of the ministry and their adherents when the duke of Cumberland entered into a negotiation with lord Temple and Mr. Pitt, respecting a change, and first applied to lord Temple for his conditions. The duke did not object to them; but required that the earl of Northumberland should be at the head of the treasury: this proposal was not

^c Life of lord Chatham, vol. i, p. 466.

^d Life of lord Chatham.

agreeable to lord Temple, and the conference broke off. The duke, however, did not yet relinquish the hopes of success: he waited on Mr. Pitt at Hayes, where he was met by lord Temple, and the subject renewed. Mr. Pitt declared he had no objection to go to St. James's, "if he could carry the constitution with him," but declined all connection with the earl of Northumberland. The next day, lord Frederick Cavendish was sent from the duke to Mr. Pitt, with a modification of the proposal respecting the earl of Northumberland, and Mr. Pitt returned the same answer which he had given to the duke of Cumberland. The situation of first lord of the treasury was then offered to lord Lyttleton, who desired to consult lord Temple and Mr. Pitt; and the duke convinced that no advantage could be derived from a new negotiation, reported these transactions to the king, advising him to continue his present servants.*

IN consequence of this counsel, the king required the ministry to state the conditions on which they would remain in office. A meeting was held in Downing street, at which the first lord of the treasury, the lord chancellor, the duke of Bedford, and the earls of Halifax and Sandwich, were present. At the conclusion of this conference Mr. Grenville was directed to wait on the king, and state five propositions as the terms of retaining their situations; 1. That lord Bute should not interfere directly or indirectly in the affairs of government; 2. Mr. Stuart M'Kenzie, lord Bute's brother, should be dismissed

CHAP.
VIII.
1765.
19th.

23d May.
Conduct
of the
ministry.

* History of the late Minority, chap. xxi. The public prints at the time noticed the duke of Cumberland's visit to Mr. Pitt at Hayes. See Gentleman's Magazine, 1765, p. 245.

CHAP.
VIII.
1765.

from the office of keeper of the privy seal for Scotland; 3. Lord Holland should be deprived of the paymastership of the forces, which should be bestowed on a member of the house of commons; 4. The marquis of Granby should be at the head of the army; and 5. The government of Ireland should be left to the discretionary arrangement of the ministry.^f

Difficulty
of forming
a new ad-
ministra-
tion.
8th June.

THE difficulty already experienced in forming a new administration, rendered it necessary to comply in part with these propositions. Stuart M'Kenzie was dismissed from the privy seal of Scotland, which was given to lord Frederick Campbell; Charles Townsend was appointed paymaster of the forces; and lord Weymouth lord lieutenant of Ireland. Still the disunion between the king and the ministry existed in all its extent: a spirit of violence seems to have possessed some members of the cabinet, and urged them personally to insult their sovereign, in a manner which rendered their longer continuance in office impossible.^g All previous attempts to form a new administration failing of success, the king himself sent for Mr. Pitt, and held a conference with him at Buckingham House. In consequence of this interview, Mr. Pitt and lord Temple had a joint audience, and the king condescended to lay before the two brothers certain propositions for their acceptance. Mr. Pitt seemed disposed to comply with the most important, but required time to deliberate. Lord Temple declared his repugnance to all the conditions, and Mr. Pitt afterwards adopted the same sentiments.

20th.

25th.

^f From private information.

^g Junius, Letter xxiii. Burke's Works, vol. i. p. 357.

THE duke of Cumberland was again applied to, and negotiated with the duke of Newcastle for the formation of a new ministry, which was speedily adjusted. The marquis of Rockingham was placed at the head of the treasury; general Conway was appointed secretary of state, and had the management of the house of commons,^b the other secretary was the duke of Grafton; the duke of Newcastle was lord privy seal; Mr. Dowdeswell chancellor of the exchequer; and the earl of Hertford lord lieutenant of Ireland. These were the leading men in the new administration, though changes took place in every department. The high popularity of the duke of Cumberland, who formed this ministry, and the characters of the principal members, promised a great degree of public favour, and one of their first acts, that of making Pratt the chief justice of the Common Pleas a peer, by the title of lord Camden, was highly gratifying to the people.

THE duke of Cumberland, perfectly satisfied with this administration, contributed to their permanency by constantly attending the council, thus assisting them with his advice, and sanctioning their measures by his splendid reputation; but of this respectable co-adjutor they were soon deprived, by his sudden death. His great popularity, the deserved meed of tried valour and undoubted patriotism, rendered his loss peculiarly afflicting at this period, when a new ministry was preparing to try the effect of new measures; as their operations were intended to contravene the prejudices and opinions of all other parties, they required, in a peculiar manner, all the support which could

CHAP.
VIII.

1765.

Rockingham ministry formed.

10th, 15th July.

Death of the duke of Cumberland:

31st Oct.

^b Lord Orford's Works, vol. v. p. 136.

CHAP.

VIII.

1765.

29th Dec.

and of
prince Fre-
derick.

be derived from personal estimation. The de-
cease of the duke was generally deplored as
well by the nation as the royal family ; and the
king sustained an additional loss by the death
of his brother, prince Frederick, who expired
in the sixteenth year of his age.

CHAPTER THE NINTH:

1765—1766.

Examination of the motives for opposing the stamp act. — Formation of parties in America. — Exertions of the Presbyterians. — Discontents on the arrival of the stamp act. — Proceedings in Virginia — and in New England. — Preparations for holding a congress. — Combinations against the use of stamps. — Riots at Boston. — Meeting, proceedings, and dissolution of congress. — The delivery of stamps prevented. — Proceedings of the ministry. — Meeting and recess of parliament. — Consultation of the ministry. — Proceedings in parliament. — Debate on the address. — Measures for repealing the stamp act. — Evidence before the house. — Debates on the declaratory and repealing acts. — Act of indemnity. — Cyder tax repealed. — General warrants declared illegal. — Other acts of the ministry. — Their febleness. — Duke of Grafton resigns. — Intrigue of lord chancellor Northington. — Overtures made to Mr. Pitt. — His quarrel with lord Temple. — Mr. Pitt's ministry. — He is made a peer. — Rockingham administration dismissed. — Compliments paid to the marquis of Rockingham — Efforts to render lord Chatham unpopular.

THE stamp act, if considered by itself, and not incumbered with the question relative to the right of Great Britain to tax her colonies, was a wise and equitable measure, and promised a productive revenue. It enjoyed the advantage of being simple, easy of collection, founded

CHAP.
IX.

Examination of motives for opposing the stamp act.

CHAP.
IX.

founded on the extended trade and commercial transactions of individuals, justly distributed, and effectually carrying its own powers into execution, without the teasing inspection of officers. The only plausible objection (exclusive of the general principle) arose from the difficulty of obtaining stamps in the interior of the country: it was alleged that the expence, if they were sent by post, would in many cases considerably exceed the value of the stamps themselves; and as many inhabitants could only obtain them by travelling, they would probably be compelled to expend three or four pounds that government might gain sixpence.^a This objection is strained to the extreme verge of possibility, in order to gain something like a plausible reason for opposing the duty on the ground of expediency. If the persons residing in remote parts of the country were numerous, their transactions would afford employ to a distributor of stamps, within a district of moderate extent; if the smallness of their numbers rendered that appointment unnecessary, their occasions for stamps must have been few, and the return of the demand periodical and certain, so that a provision might without inconvenience be made in advance, like any article of manufacture or consumption. Unexpected events which create a sudden call for stamped papers, can only arise in a mixed society, where rapid changes in circumstances give birth to multiplied transactions, and the sudden and occasional transfer of property, requires constant means of legal security.^b

^a See Franklin's examination before the house of commons, Debbett's Debates, vol. iv. p. 314.

^b It should be recollected, that at this period the stamp duties which affect the most frequent transactions of society, such as agreements and receipts, were not imposed.

BUT admitting the impossibility of supplying the back settlements, or of adjusting the demands of state to the peculiarities of their situation; the measures adopted to resist the introduction of the stamp duty, demonstrated that not the consideration of its practicability, or of the duty itself, but of the principle of imposing it, formed the sole ground of objection, and that those who had proceeded to the verge of rebellion in their system of opposition, fought for this shallow subterfuge as a plausible vindication of their factious conduct.

THE ministry acted imprudently in giving a year's notice of their intention to impose the stamp duty: they allowed time for the accumulation of discontents in America, and for the arrangements of factious men to oppose the law.^c The first effort towards an union of interests was made by the Presbyterians, who were eager in carrying into execution their favourite project of forming a synod. Their churches had hitherto remained unconnected with each other, and their union in synod had been considered so dangerous to the community, that in 1725 it was prevented by the express interference of the lords justices. Availing themselves, with great address, of the rising discontents, the convention of ministers and elders at Philadelphia, inclosed in a circular letter to all the Presbyterian congregations in Pennsylvania, the proposed articles of union.

Formation
of parties
in Ameri-
ca.

Exertions
of the Pres-
byterians.

IN this letter the writers complained that, notwithstanding their numbers, "they were considered *as nobody*," and their essential and charter privileges were exposed to the en-

^c Burke's Works, vol. i. p. 366.

CHAP.

IX.

1765.

croachments of evil-minded persons. Other religious societies insulted them for their want of union, and charged the ill-conduct of individuals on the whole body. They, therefore, solicited the adoption of some system which would enable them to act as a body, for the purpose of defending and augmenting their civil and religious privileges. They digested a plan by which a few gentlemen of Philadelphia, with the Presbyterian ministers, should be chosen to correspond with their friends in different parts, to give and receive advices, and to consult on measures tending to promote their welfare either as a body, or as connected in particular congregations. A number of what were termed the most *prudent and public spirited* persons in each district of the province, and three lower counties, were to be elected for the purposes of corresponding jointly with the ministers in those districts with one another, and with the gentlemen of Philadelphia. A person was to be nominated in each committee to sign and receive letters in the name of the whole, to convocate the committee, and for their deliberation impart the advice they should obtain. Deputies were to be sent by the committee in each county or district, yearly or half yearly, to a general meeting of the whole body, to consult and give advice; and each committee to transmit to that in Philadelphia their names and numbers, with periodical accounts of alterations.

In consequence of this letter, an union of all the Presbyterian congregations took place in Pennsylvania, and the lower counties. A similar confederacy was established in all the southern provinces, in pursuance of similar letters, written by their respective conventions.

These

These measures ended in the establishment of an annual synod at Philadelphia, where all the Presbyterian congregations in the colonies were represented by their respective ministers and elders, and where all general affairs, political as well as religious, were debated and decided. From this synod orders and decrees were issued throughout America, and to them a ready and implicit obedience was paid.

THE discontented in New England recommended an union of the congregational and Presbyterian interest throughout the colonies. A negotiation took place, which ended in the appointment of a permanent committee of correspondence, and powers to communicate and consult, on all occasions, with a similar committee established by the congregational churches in New England. Thus the Presbyterians in the southern colonies, who, while unconnected in their several congregations, were of little importance, were raised into weight and consequence; and formed a dangerous combination of men, whose principles of religion and policy were equally adverse to that of the established church and government.

By this union a party was prepared to display their power by resistance, and the stamp law presented itself as a favourable object of hostility. Yet sensible of their own incompetency to act effectually without assistance, and apprehensive of counteraction from the members of the church of England, and those dissenters who were averse to violence, they strove with the utmost assiduity to make friends and converts among the disaffected of every denomination.^d

^d Historical and Political Reflections on the rise and progress of the American Rebellion, by Joseph Galloway.

CHAP.

IX.

1765.
Discon-
tents on the
arrival of
the stamp
act.

THE prevailing discontent which extended to the most respectable ranks of society, was favourable to their hopes, and when the news arrived that the stamp act had passed in Great Britain, the measures adopted were conformable to their most sanguine wishes. This act was received with great abhorrence; it was printed with a death's head affixed instead of the king's arms, and hawked in the streets at New York, by the title of "England's Folly, and the ruin of America." The guns at Philadelphia, both in the town and in the barracks, were spiked by offenders who remained undetected. At Boston, the colours of the shipping were hoisted half-mast, the church bells were muffled, and tolled a funeral knell, and an alarming ferment generally prevailed.*

It must afford matter of surprize that these transactions were viewed with indifference, and in a certain degree sanctioned, by men in the superior classes of life; but the situation of the colonies, and the manner in which they had been of late considered in England, account for the prevailing spirit of presumption. During the late war, and since the peace, the importance of America had been magnified by all the arts of eloquence, as if the existence of Great Britain, as a commercial nation, depended on that trade. The colonists naturally estimated themselves at no less than they were appreciated by the British parliament. They loudly claimed a total exemption from taxation, which they resolved to obtain by force, if necessary, and were induced by various circumstances to expect success. They hoped to increase the discontents in England, by forbear-

* Almon's Collection of Papers, vol. i. p. 7. Andrews's History of the American War, vol. i. p. 41.

ing to import goods, and by encouraging their own manufactures. The cause assigned for taxing the colonies, a deficiency of resources, led the Americans to expect that it would be impossible for the mother country to provide and maintain a standing military force: they calculated on a great accession of population from the emigration of unemployed manufacturers; on their own rapid growth, and on the necessary diminution of a British army by desertions; considering also that the army would be employed, not in conquest, but in maintaining the law against a general and wide spreading disaffection, they entertained hopes that it would in time relinquish its fidelity, and procure the independency of America.^f

A COCENT motive for the attachment and dutiful submission of the colonies was removed, by the cession of Canada and the Floridas. The Americans, no longer alarmed by the vicinity of the French and Spaniards, found their own force adequate to their own defence, and felt no weakness or terror to diminish that sense of their importance which numbers, prosperity, and the opinions held in England, contributed to inspire. The virulence of faction in Great Britain produced a correspondent effect in America, where a bold disrespectful mode of eloquence, not deficient in vigour, though totally exempt from politeness, was generally adopted.^g

To the astonishment of those who considered only the ancient habits of loyalty which had

Proceed-
ings in
Virginia.

^f These sentiments are forcibly expressed in a letter from a well informed gentleman at New York to a nobleman in London, dated 8th November, 1765. The whole letter is highly important and interesting from the ability and candour with which it is written. It is referred to in subsequent parts of the chapter.

^g Stedman's History of the American War, vol. i. p. 31.

CHAP.
IX.
1765.

hitherto prevailed in Virginia, that colony set the first example of authorized opposition to government. This is partly attributed to accident; but the manner in which their debates were conducted, and the resolutions finally sanctioned, indicated a most alarming and dangerous disposition. The leading men in the assembly, which then happened to be sitting, were anxious to shew their constituents; that they would not disavow, in their legislative capacity, those sentiments which as individuals they had inculcated. Though the operation of the stamp act did not commence till November, the subject was eagerly introduced, and occasioned a violent debate, or rather a series of virulent harangues. One of the members, Patrick Henry, after declaiming with bitterness against the supposed arbitrary measures of the present reign, said, "Cæsar had his Brutus, Charles I. his Oliver Cromwell, and George the Third——." A cry of "treason!" was uttered, the speaker called Mr. Henry to order, and declared he would quit the chair, unless he was supported by the house in restraining such intemperate speeches.^a

29. h May.

WHEN tranquillity was in some degree restored, the house proceeded to frame a set of resolutions, importing, That the first settlers in Virginia had brought with them, and transmitted to their posterity, all the privileges and immunities enjoyed by the people of England. By the two charters of James I, the colonists were intitled to all those privileges and immunities. They had enjoyed the right of being *thus* governed by their own assembly, in

^a Stedman's History of the American War, vol. i. p. 32.

the article of taxes and internal police, which right had never been forfeited or relinquished, but constantly recognized by the king and parliament of Great Britain.¹ Therefore the general assembly of Virginia, together with his majesty or his substitutes, had in their representative capacity the only exclusive right and power to tax the inhabitants of Virginia; and every attempt to vest such a power in any person or persons whomsoever, except the general assembly, was illegal, unconstitutional, and unjust, and had a manifest tendency to destroy British, as well as American independence.²

THE governor of Virginia, informed of these proceedings, dissolved the assembly; but this measure was adopted too late: their resolves sanctioned opposition in their own province, and formed a precedent which was followed by other legislative bodies.

Their assembly dissolved.

THE resolutions, though preceded by such a vehement debate, were too moderate to satisfy the inhabitants of New England, who had in the preceding year manifested a disposition to resist the authority of Great Britain

Conduct of New England.

¹ This third resolution wants connection and explanation. The right of being *thus* governed is claimed without any previous declaration of the mode of government. This is supplied by a resolution which, though rejected by the assembly, was published, and must have formed the third in the series originally moved. It is in these words, "Resolved, That his majesty's liege people, the inhabitants of this colony, are not bound to yield obedience to any law or ordinance whatsoever, designed to impose any taxation whatsoever upon them, other than the laws and ordinances of the general assembly aforesaid." Another resolution was also presented and rejected, as follows; "Any person who shall, by speaking or writing, maintain that any person or persons, other than the general assembly of this colony, have any right or power to impose or lay any taxation whatsoever on the people here, shall be deemed an enemy to his majesty's colony."

² Almon's Collection of Papers, vol. i. p. 6.

CHAP. IX. in general, by a resolute assertion of the Rights of Man; the assembly of Virginia cautiously appealed to their charters, proudly considered themselves as British subjects, and left the authority of the mother-country without limits, except in the particulars of taxation and internal police, tacitly acknowledging their right to impose duties on merchandizes, and to regulate and restrain commerce.

August.
Prepara-
tions for
holding a
congress.

At the suggestion of the house of representatives at Boston, several assemblies appointed deputies for a general congress at New York, to which the legislature of each province was to contribute from two to five members, for the purpose of obtaining relief under the insupportable grievance of the stamp act.¹

**Combina-
tion against
the use of
stamps.**

IN this interval, every exertion which interest and resentment could suggest, was employed to increase the popular fermentation. The practisers of the law generally resolved to forego their profession rather than make use of stamps. The officers appointed by government to distribute them were compelled by mobs to resign their offices, and undertake never to resume them. These insurrections occurring nearly at the same time in all parts of America, and having the same tendency, manifested a corresponding influence which governed all their motions. The immediate agents were of the lowest class, but evidently guided and protected by their superiors.

Riots :

26th Aug.
At Boston.

THE proceedings at Boston, which served as a model for the rest, are thus described. About twilight, a small bonfire was kindled, and surrounded only by a few boys and children; the fire-ward endeavouring to extinguish

¹ See a list of the first congress, Almon's Papers, vol. i. p. 27.

it, was desired in a whisper, by an unknown person, to desist; not regarding this intimation, he received a blow on the arm, and such other marks of violence as compelled him to withdraw. Soon afterwards, a particular whistle and whoop were heard, which served as a signal for the appearance of a great number of persons disguised, and armed with clubs and sticks, who burned the records of the admiralty, and destroyed the houses, furniture, and apparel of such public officers as had given offence. The respectable inhabitants disavowed such proceedings; but rewards for the detection of the criminals were tendered in vain, and the governor attempted to induce the militia to assist in preserving the peace without effect. ^m

THE intelligence of a change of ministry in England, which transferred the power of government to those who were supposed adverse to the system adopted towards America, is supposed to have given energy to these tumultsⁿ; and the conjecture is rendered more probable from the vote of the freeholders of Boston, that addresses of thanks should be presented to general Conway and colonel Barre, and their pictures be placed in the town-hall. ^{18th Sept.}

DEPUTIES from nine of the colonies met in congress. The four not represented were New Hampshire, Virginia, North Carolina, and Georgia. The assembly of New Hampshire promised concurrence in any petition which ^{7th Oct. Meeting of congress.}

^m Almon's Collection of Papers, vol. i. p. 13, et passim.—Stedman, vol. i. p. 39.

ⁿ Stedman, vol. i. p. 38.

^o Almon's Collection of Papers, vol. i. p. 16.

CHAP.
IX.

should be agreed on by the representatives of the other colonies. The assemblies in the other three provinces were not sitting when the letter from Massachusetts Bay arrived, and the governors prevented their meeting, till the day appointed for holding the congress was past. When the commissioners of Boston waited on the governor of New York, he said, such a congress was unconstitutional, unprecedented, and unlawful, and he should give them no countenance; he did not, however, attempt to hinder their proceedings.

THE members were, in general, men of warm passions; an impatience to return home, and the pride of those who were intrusted with the delicate commission of drawing up their resolves, had a bad effect on their transactions. These persons had not sought proper sources of information before they began to write, nor indeed before the congress was dissolved; and their compositions betray evident marks of hurry and imperfection. They determined on fourteen resolves, a petition to the king, another to the house of commons, and a memorial to the house of lords. They would not be persuaded to a full recognition of the authority of parliament in matters of taxation, but professed allegiance to the crown, and *due subordination* to the two houses. By their resolutions, they declared themselves intitled to all the rights of subjects born within the realm of Great Britain. They pronounced it essential to the freedom of a people to be taxed only with their own consent; but the colonies neither were nor could, from local circumstances, be represented in the British house of commons; their only representatives were in their colonial legislatures; and except by them, no taxes had been or could
be

be constitutionally imposed. They defined supplies to be gifts, and therefore inferred that the commons of Great Britain could not constitutionally grant away American property. They claimed trial by jury as the right of the subject; the stamp act, and other acts of trade, tended to subvert that right. The duties lately imposed, they affirmed to be grievous, and the payment impracticable: the profits of their commerce centered in Great Britain, and therefore the inhabitants of America contributed largely to all supplies. The effect of the parliamentary restrictions was such as to prevent them from purchasing the manufactures of Great Britain; but the prosperity of the colonies depended on the enjoyment of their rights, and a mutual beneficial intercourse with the mother-country. They claimed, as subjects, the right of petitioning king, lords, and commons, and declared it was their duty, by a loyal address to the king, and humble application to both houses, to procure a repeal of the stamp act, and others restricting trade and extending the admiralty jurisdictions. The acts of the congress concluded, by recommending the colonies to solicit their cause by special agents from each.^p

ALTHOUGH these proceedings were conducted with a cautious attention to the externals of order and decorum, and therefore excited no immediate alarm, the convocation did not fail in producing the most extensive and prejudicial effects. Their resolutions formed the basis and model of petitions and addresses,

^p Letter from an American gentleman to an English nobleman, dated 8th November 1765. See also the proceedings at length, Almon's Collection of Papers, vol. i. p. 26.—Stedman, vol. i. p. 39 to 42.

CHAP.

IX.

1765.

which were procured throughout the colonies; and the interchange of opinion inflamed the spirit of opposition, while it destroyed fear of failure by the certain prospect of co-operation and support. "By the meeting of so many deputies at New York," a judicious writer has observed, "a communication was opened, and a correspondence established, between the leading men of all the colonies; and a foundation was thus laid for uniting their common efforts, whenever future circumstances, and the attempt of a future administration, should render it necessary. One effect of the mutual understanding which took place amongst these leading men was, indeed, discoverable; for, as soon as they returned to their respective homes, associations were set on foot in all the colonies against the importation of British manufactures,^a such importation to cease after the first of January following, until the stamp act should be repealed; a measure which was probably concerted before they left New York."

The delivery of stamps prevented.

31st Nov.

THE effects of this determined spirit of opposition were speedily displayed. When ships arrived from England with stamped papers on board, the utmost industry was employed in preventing the unloading of their cargoes, and compelling the officers of government to place the stamps in the custody of persons appointed to prevent their being used. The ships were not secure unless under the guns of men of war, or of forts. From these circumstances, and the resignation of the appointed distributors, on the day appointed for the operation of the act, no

^a This measure did not succeed in the degree that was supposed: designing men, however, took advantage of it, when they had large stores of English goods on hand.

^{*} Stedman, vol. i. p. 42.

stamps could be obtained. The administration of justice was impeded, except in criminal cases, and commerce was suspended by the impossibility of obtaining the necessary stamps for entries and clearances at the custom houses. Some merchants ventured to send their ships on voyages with certificates from the governors, that stamps could not be obtained; and the council and assembly of Massachusetts, entered a daring resolution in their books, declaring it lawful to transact business without stamps.

CHAP.

IX.

1765.

If the ministry were not convinced that the time was arrived, or nearly approaching, when the dependence of America on Great Britain must be dissolved, their conduct in tolerating the proceedings of the colonists was highly culpable. If they deemed such a separation now unavoidable, they did not meet the occasion with sufficient magnanimity, nor pursue a system calculated to diminish the danger and injury attending so great a divulsion from the mother-country. It was obvious that two millions of people, separated by a wide ocean from the immediate effects of resentment, and encouraged by interest, and even by the avowed approbation of a numerous and popular party in England, would not desist from a course of opposition, in which their greatest excesses were sanctioned by impunity.

Observations.

THE ministers were embarrassed with the difficulties of their situation, and equally unprepared for effectual resistance and dignified concession. One of their first measures respecting America was prudent, and if followed by others distinguished for vigour, the result might

Proceeding of the ministry.

• Stedman, vol. i. p. 42. Andrews's History of the War, vol. i. p. 42.

CHAP.

IX.

9th July.

have been highly beneficial. A minute was entered in the treasury books, importing, that in order to obviate the inconvenience of bringing into Great Britain the money raised in the colonies, it should be received by the deputy paymaster in America, to defray the subsistence of troops, and military expences. The resolutions of the assembly of Virginia were laid before the board of trade, and by them reported to be a dangerous attack on the constitution of Great Britain; and they recommended that orders should be immediately issued for the executive power, and all the officers of government in Virginia, concerned in enforcing the stamp duty, to exert themselves vigorously in supporting the authority of parliament, and with becoming firmness in exacting a due obedience to the law of the land.

34th Sept.

A council was not held speedily after this resolution of the board of trade; but general Conway, secretary of state for the southern department, wrote to the governor of Virginia a letter of a weak and impolitic tendency. He expressed hopes, that another assembly would adopt decisions different from those transmitted to England, and advised him to make proper representations to the wise and sober part of the people. But even these unimportant and indecisive directions were qualified by an observation, that as the matter was before the privy council, he should not pretend to give any advice or instructions on the subject. The same irresolution infected the council; they reported to the king, that this was a matter of the utmost importance to the realm and legislature; too weighty for their determination, and only to be discussed in parliament.* By

3d Oct.

* See Almon's Collection of Papers, vol. i. p. 38.

this

this declaration, the council declined advising, because the subject was of importance, and referred to parliament for instruction, whether obedience to its own acts should be enforced by the executive power. After the holding of the council, general Conway wrote a circular letter to the governors in America, in terms somewhat more decisive, but not sufficiently clear or dignified for the minister of an insulted government, who gives instructions in a critical emergency.

CHAP.

IX.

1765.

24th Oct.

If the advice of the two houses was deemed necessary to sanction the acts of government, the session ought to have been immediately commenced, and proper measures speedily adopted; but these important arrangements were utterly neglected. The parliament did not assemble till the 17th of December, and separated for the Christmas recess, without transacting any business, except issuing writs to fill up vacancies.

17th Dec.
Meeting
and recess
of parlia-
ment.

In this interval, a meeting was held at the house of the marquis of Rockingham, for the purpose of arranging measures against the opening of the session, and particularly with respect to the late transactions in America. Among the persons present, were the marquis of Rockingham, lord Egmont, general Conway, Mr. Dowdeswell, the earl of Dartmouth, and Mr. Yorke. The most effective and dignified advice was, to declare, by an act of parliament, the legislative power of Great Britain over America, and inflict penalties of high-treason on those who should impeach that authority, either by speaking or writing. The supremacy of the parent country being thus ascertained, it was recommended to bring in a bill to explain, alter, and amend the stamp act,

27th Dec.
Consulta-
tion of
ministry.

in

CHAP.

IX.

1765.

in such a manner as would render the operation easy, and its provisions unexceptionable. The principal alterations were, that duties should be paid in currency, instead of sterling money; offences against the act tried in courts of record, instead of the court of vice-admiralty; and the merchants relieved by taking off or greatly reducing the stamps on cocquets and clearances. But this firm and manly advice did not prevail; the opinions previously delivered by some members of administration, were incompatible with such measures; and although Mr. Dowdeswell, chancellor of the exchequer, produced letters from New York, importing that the money collected from the duty on molasses, had been detained in the colony by the threats and orders of the mob, yet no vigorous measure was resolved on. In fact, nothing was decided, except the terms in which the king's speech should be comprized: and the ministry formed no regular or consistent plan of operation and mutual support."

24th Jan.

1766.

Meeting of
parliament.

WHEN parliament met before the holidays, the king, in his speech, observed that matters of importance had occurred in some of the American colonies, which demanded the most serious attention of the legislature. After the recess he resumed the topic, and having observed that he had directed the proper papers to be laid before the two houses, said, "No time has been lost on the first advice of these disturbances to issue orders to the governors of American provinces, and commanders of forces, for the exertion of all the powers of government in suppressing riots and

* From private information, and minutes of the conference.

"tumults,

"tumults, and in the effectual support of lawful authority." Whatever remained to be done, was committed to the wisdom of the legislature.

CHAP.
IX.
1766.

IN the debate on the address, the affairs of America were amply discussed. The difference of sentiment which prevailed in the cabinet now became apparent, and the contest was not properly between ministry and opposition, but between those who favoured and those who disavowed the taxation of America. Mr. Nugent (afterwards earl of Clare) insisted that the honour and dignity of the kingdom required a compulsory enforcement of the stamp act, unless the right of parliament was acknowledged, and the repeal solicited as a favour. He computed the expence of the troops employed in America for their defence at nine pence in the pound of the land tax, while the produce of the stamp act would not raise a shilling a head on the colonists; * but a pepper corn in acknowledgment of right, was of more value than millions without that homage.

Debate on
the address.

Mr. PITT was conspicuous on the opposite side. He informed the house, that he was unconnected and unconsulted; and having desired a second reading of the speech and address, sarcastically applauded both, because nothing was decided respecting America, and every one was left at liberty to assume such part as he should see fit. He disapproved of the tardiness displayed in giving notice to

Arguments of
Mr. Pitt.

* The greatest sum proposed to be raised by the stamp act, was 100,000*l.* per annum. One shilling each from the inhabitants of America, who were computed at two millions and a half, would give 125,000*l.* This calculation, however, is shewn by lord Sheffield, in his observations on the commerce of the American States, to be grossly exaggerated.

CHAP.

IX.

1766.

the legislature of the American troubles, which ought to have been imparted immediately; and condemned, without reserve, every capital measure of the late ministry. He had no objection to the present administration; they were men of fair characters, and such as he was glad to see in his majesty's service. He had never been made a sacrifice by any of them: some had asked his opinion before they would engage: he had advised them to take official situations, but could not give them his confidence. "Pardon me, gentlemen," he said, bowing to the ministry, "confidence is a plant
 " of slow growth in an aged bosom; youth is
 " the season of credulity. By comparing events
 " with each other, reasoning from effects to
 " causes, methinks I plainly discover the traces
 " of an over-ruling influence. There is a
 " clause in the act of settlement to oblige every
 " minister to sign his name to the advice which
 " he gives to his sovereign. Would it were
 " observed! — I have had the honour to serve
 " the crown, and if I could have submitted to
 " influence, I might have still continued to
 " serve; but I would not be responsible for
 " others. I have no local attachments; it is
 " indifferent to me whether a man was rocked
 " in his cradle on this side or that side of the
 " Tweed. I sought for merit wherever it was
 " to be found. It is my boast that I was the
 " first minister who looked for it, and found it,
 " in the mountains of the North. I called it
 " forth, and drew into your service an hardy
 " and intrepid race of men! — men, who, when
 " left by your jealousy, became a prey to the
 " artifices of your enemies, and had gone
 " nigh to overturn the state in the war before
 " the last. These men, in the last war, were
 " brought

“brought to combat on your side: they served
“with fidelity, as they fought with valour, and
“conquered for you in every part of the world;
“—detested be the national reflections against
“them! they are unjust, grovelling, illiberal,
“unmanly.—When I ceased to serve his ma-
“jesty as a minister, it was not the country of
“the man by which I was moved—but the
“man of that country wanted wisdom, and
“held principles incompatible with freedom.”

Mr. PITT then said, when the resolution was adopted to tax America, he was confined by illness, but so great was the agitation of his mind for the consequences, that if he could have endured to be carried in his bed, he would have solicited some kind hand to lay him down on the floor of the house, that he might bear testimony against it. He hoped an early day would be appointed to consider the state of the nation with respect to America, and that the discussion would be conducted with temper and impartiality. A more important subject never engaged the attention of the house; that subject only excepted when, near a century ago, the commons debated whether they themselves were to be bound or free. In the meantime, as he could not depend upon his health for a future day, he should say a few words at present, leaving the justice, the equity, the policy; and the expediency of the act to another time. He would confine himself to the right; a point which seemed not generally understood. He reprobated the argument of Mr. Nugent, which had a tendency to make it a point of honour. If gentlemen considered it in that light, they left all measures of right and wrong to follow a delusion, which might lead to destruction. He then declared his opinion *that*
Great

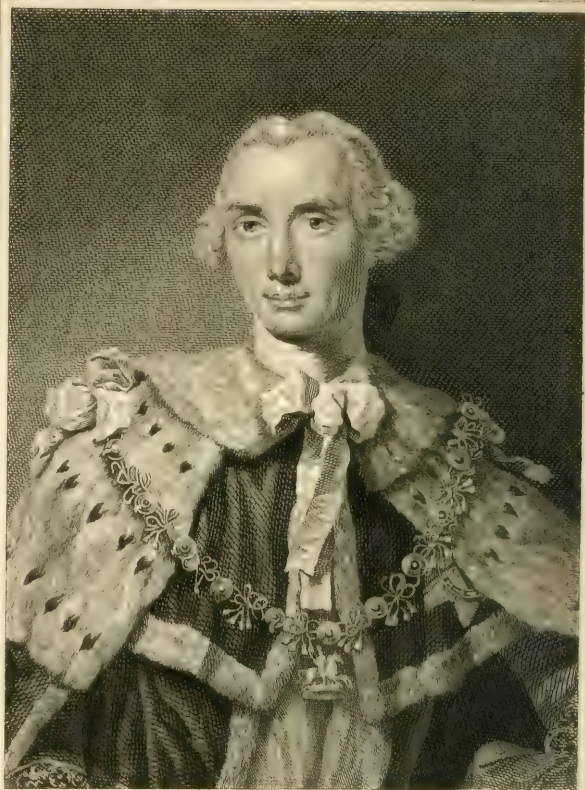
CHAP.

IX.

1766.

Great Britain had no right to lay a tax upon the colonies; though at the same time he asserted the authority of Great Britain over them to be sovereign and supreme in every case of legislation. In support of this opinion he said, "The colonists are subjects of this kingdom, equally intitled with yourselves to all the natural rights of mankind, and the peculiar privileges of Englishmen;—equally bound by its laws, and equally participating in the constitution of this free country. The Americans are the sons, not the bastards of England. Taxation is no part of the governing or legislative power. Taxes are the voluntary gift and grant of the commons alone. In legislation the three estates of the realm are alike concerned, but the concurrence of the peers and the crown to a tax, is only necessary to clothe it with the form of a law. The gift and grant is of the commons alone. In ancient days, the crown, the barons, and the clergy, possessed the lands. In those days, the barons and the clergy granted to the crown; they gave and granted what was their own. At present, since the discovery of America, and other circumstances permitting, the commons are become the proprietors of the land. The church (God bless it!) has but a pittance. The property of the lords, compared with that of the commons, is as a drop of water in the ocean; and this house represents those commons, the proprietors of the lands; and those proprietors virtually represent the rest of the inhabitants. When, therefore, in this house we give and grant, we give and grant what is our own. But in an American tax, what do we do? We, your majesty's commons for

"Great



JOHN EARL of BUTE

First Lord of the Treasury.

From an Original Picture by Ramsay.

Engraved by J. Smith, del. & J. Goussier, sculp.

“ Great Britain, give and grant to your majesty, what? Our own property? — No; we give and grant to your majesty, the property of your majesty’s commons of America. It is an absurdity in terms. The distinction between legislation and taxation is essentially necessary to liberty. The crown, the peers, are equally legislative powers with the commons. If taxation be a part of simple legislation, the crown, the peers, have rights in taxation as well as yourselves: rights which they will claim, which they will exercise, whenever the principle can be supported by power. There is an idea in some, that the colonies are virtually represented in the house. I would fain know by whom an American is represented here? Is he represented by any knight of the shire, in any county in this kingdom? Would to God that respectable representation was augmented to a greater number! Or, will you tell him that he is represented by any representative of a borough — a borough which perhaps its own representatives never saw. — This is what is called *the rotten part of the constitution*. — It cannot continue a century. If it does not drop, it must be amputated. The idea of a virtual representation of America in this house, is the most contemptible that ever entered into the head of a man. It does not deserve a serious refutation. The commoners of America, represented in their several assemblies, have ever been in possession of the exercise of this, their constitutional right, of giving and granting their own money. They would have been slaves if they had not enjoyed it. At the same time, this kingdom, as the supreme governing and legislative power, has

“ always

CHAP.
IX.
1766.

"always bound the colonies by her laws, by her regulations and restrictions, in trade, in navigation, in manufactures; in every thing except that of taking their money out of their pockets without their consent. Here I would draw the line, "*quam ultra citraque nequit consistere rectum.*"

General
Conway.

A considerable pause succeeded this remarkable speech, which was well calculated to produce an animated reply; but no one rising, general Conway declared his sentiments were intirely conformable to those of Mr. Pitt. He accounted for the tardy notice to parliament of the troubles in America by saying, the first accounts were too vague and imperfect to be worthy of notice. "An over-ruling influence," he said, "has been hinted at. I see nothing of it;—I feel nothing of it;—I disclaim it for myself, and, as far as my discernment can reach, for the rest of his majesty's ministers."

Mr. Grenville.

ALTHOUGH Mr. Pitt was so far gratified by general Conway's co-incidence in opinion, and by some high compliments contained in his speech, as to admit the validity of his excuse if it was true; Mr. Grenville, who spoke in defence of his own measures, was not disposed to treat the matter with so much lenity. He censured the ministry with great severity for delaying to give earlier notice of the disturbances in America. He said, "They began in July, and now we are in the middle of January; lately they were only occurrences, they are now grown to

y This assertion of the secretary of state could hardly be correct. The resolutions of the assembly of Virginia were not vague information: the resolutions entered into by the other assemblies to form a congress were clearly announced; and the minute of council of the 3d October shews that the ministry did not consider these matters of small importance.

“disturbances, to tumults and riots. I doubt
 “they border on open rebellion; and if the
 “doctrine of this day be confirmed, that name
 “will be lost in revolution. The govern-
 “ment over them being dissolved, a revolu-
 “tion must take place in America. I can-
 “not understand the difference between ex-
 “ternal and internal taxes. They are the same
 “in effect, and only differ in name. That this
 “kingdom has the sovereign, the supreme
 “legislative power over America, is granted;
 “it cannot be denied: and taxation is a
 “part of that sovereign power. It is one
 “branch of legislation. It is and it has been
 “exercised over those who are not, who never
 “were represented. It is exercised over the
 “India Company, the merchants of London,
 “the proprietors of the stocks, and over the
 “great manufacturing towns. It was exer-
 “cised over the palatinate of Chester, and
 “the bishoprick of Durham, before they sent
 “any representatives to parliament. I appeal
 “for proof to the preambles of the acts which
 “gave them representatives: the one in the
 “reign of Henry VIII, the other in that of
 “Charles II.” Mr. Grenville then quoted the
 acts, and desired they might be read; which
 being done, he continued: “When I pro-
 “posed to tax America, I repeatedly asked the
 “house, if any objection could be made to
 “the right; but no one attempted to deny
 “it. Protection and obedience are recipro-
 “cal. Great Britain protects America: Ame-
 “rica is bound to yield obedience. If not,
 “tell me when the Americans were emanci-
 “pated? When they want the protection of
 “this kingdom, they are always ready to ask
 “it; that protection has always been afford-

CHAP.

IX.

1766.

ed them in the most full and ample manner.
 " The nation has run itself into an immense
 " debt to give them protection; and now they
 " are called upon to contribute a small share
 " towards the public expence, — an expence
 " arising from themselves, — they renounce your
 " authority, insult your officers, and break out,
 " I might almost say into open rebellion. The
 " seditious spirit of the colonies owes its birth
 " to the factions in this house. Gentlemen are
 " careless of the consequences of what they say,
 " provided it answers the purposes of opposi-
 " tion. We were told we trod on tender
 " ground; we were bid to expect disobedience.
 " What was this, but telling the Americans to
 " resist the law, — to encourage their obstinacy
 " with the expectation of support from hence?
 " Let us only persevere for a short time, they
 " would say, our friends will soon be in power.
 " Ungrateful people of America! Bounties
 " have been extended to them: — when I had
 " the honour of serving the crown, while you
 " yourselves were loaded with an enormous
 " debt, you have given bounties on their lum-
 " ber, on their iron, their hemp, and many
 " other articles. You have relaxed, in their
 " favour, the act of navigation, that palladium
 " of British commerce; and yet I have been
 " abused in all the public papers as an enemy
 " to the trade of America. I have been par-
 " ticularly charged with giving orders and in-
 " structions to prevent the Spanish trade, and
 " thereby stopping the channel by which alone
 " North America used to be supplied with cash
 " for remittances to this country. I defy any
 " man to produce any such orders or instruc-
 " tions. I discouraged no trade but what was
 " illicit, what was prohibited by act of par-
 " liament.

“liament. I was above giving an answer to
“anonymous calumnies; but in this place it
“becomes me to wipe off the aspersions.”

CHAP.
IX.
1766.

WHEN Mr. Grenville ceased speaking several
members rose, but Mr. Pitt appearing to be
one of the number, the others receded, and the
house clamorously required that he should be
heard. In his exordium, Mr. Pitt observed,
he only meant to have thrown out a few hints
on the right of taxation, which was at least
equivocal, but since Mr. Grenville had gone
into the justice, the equity, the policy, the ex-
pediency of the stamp act, he would follow him
through the whole field, and combat his argu-
ments on every point. This declaration pro-
duced an objection on the point of order, but
that question being decided in Mr. Pitt's fa-
vour, he, by desire of the house, thus proceeded:
“I have been charged with giving birth to
“sedition in America. Sorry I am to hear the
“liberty of speech in this house, imputed as a
“crime. But the imputation shall not dis-
“courage me. It is a liberty I mean to exer-
“cise. No gentleman ought to be afraid to
“exercise it. It is a liberty by which the gen-
“tleman who calumniates it might have profit-
“ed. He ought to have profited: he ought to
“have desisted from his project. The gentle-
“man tells us America is obstinate; America
“is almost in open rebellion. I rejoice that
“America has resisted. Three millions of peo-
“ple, so dead to all the feelings of liberty, as
“voluntarily to submit to be slaves, would
“have been fit instruments to make slaves of the
“rest. I come not here armed at all points
“with law cases and acts of parliament, with
“the statute book doubled down in dogs-ears,
“to defend the cause of liberty. If I had, I

Mr. Pitt
in reply.

CHAP.
IX.
1766.

"myself would have cited the two cases of
"Chester and Durham. I would have cited
"them to shew, that, even under arbitrary
"reigns, parliaments were ashamed of tax-
"ing a people without their consent, and al-
"lowed them representatives. Why did the
"gentleman confine himself to Chester and
"Durham? He might have taken a higher
"example in Wales;—Wales, that never was
"taxed by parliament, till it was incorpo-
"rated."

Mr. PITT then deprecated the consideration of the question as a mere point of law, for which he acknowledged his inability, but wished it might be discussed upon a constitutional principle, that being a ground on which he stood firm, and could boldly meet any man. He distinguished between the Americans who were not and could not be represented in parliament, and the merchants, stockholders, and manufacturers who were represented, or might be if they would. He recapitulated the names and characters of the chief ministers since the Revolution; none of whom, he said, ever thought or dreamed of robbing the colonies of their constitutional rights. There were not wanting some who had endeavoured to persuade him, when minister, to burn his fingers with an American stamp act, and perhaps under the then circumstances they might have submitted, but it would have been taking an unjust and ungenerous advantage.

"I am no courtier of America; I stand up
"for this kingdom. I maintain, that the par-
"liament has a right to bind, to restrain Ame-
"rica. Our legislative power over the colo-
"nies is sovereign and supreme. When it
"ceases to be sovereign and supreme, I would
"advise

“advise every gentleman to sell his lands, if
 “he can, and embark for that country. When
 “two countries are connected together, like
 “England and her colonies, without being in-
 “corporated, the one must necessarily govern;
 “the greater must rule the less; but so rule it
 “as not to contradict the fundamental princi-
 “ples that are common to both. There is a
 “plain distinction between taxes levied for the
 “purposes of raising a revenue, and duties im-
 “posed for the regulation of trade, for the ac-
 “commodation of the subject; although, in
 “the consequences, some revenue might inci-
 “dentally arise from the latter. The gentle-
 “man asks, when were the colonies emanci-
 “pated? I desire to know, when they were
 “made slaves? But I dwell not upon words.”

Mr. PITT then asserted that the profits to
 Great Britain from the trade of the colonies,
 through all its branches, was two millions a
 year. “This was the fund which carried us
 “triumphantly through the last war. This is the
 “price America pays for protection. And shall
 “a miserable financier come with a boast, that
 “he can fetch a pepper-corn into the exchequer,
 “by the loss of millions to the nation! I am
 “convinced,” he added, “the whole com-
 “mercial system of America may be altered to
 “advantage: you have prohibited where you
 “ought to have encouraged; and you have
 “encouraged where you ought to have pro-
 “hibited. Improper restraints have been laid
 “on the continent in favour of the islands.
 “Let the acts of parliament in consequence of
 “treaties remain, but let not an English mini-
 “ster become a custom-house officer for Spain,
 “or for any foreign power. Much is wrong,
 “much may be amended for the general good

CHAP.
IX.
1766.

“ of the whole. The gentleman must not wonder he was not contradicted, when, as minister, he asserted the right of parliament to tax America. I know not how it is, but there is a modesty in this house which does not chuse to contradict a minister. Even your chair, Sir, looks too often towards St. James’s. I wish gentlemen would think better of this modesty. If they do not, perhaps the collective body may begin to abate of its respect for the representative. A great deal has been said without doors of the power, of the strength of America. It is a topic that ought to be cautiously meddled with. In a good cause, on a sound bottom, the force of this country can crush America to atoms. But on this ground, on the stamp act, when so many here will think it a crying injustice, I am one who will lift up my hands against it. In such a cause, your success would be hazardous. America, if she fell, would fall like the strong man. She would embrace the pillars of the state, and pull down the constitution along with her.” Mr. Pitt deprecated too much severity in judging of the conduct of the Americans; he said, “ I acknowledge they have not acted in all things with prudence and temper: they have been wronged: they have been driven to madness by injustice. Will you punish them for the madness you have occasioned? Rather let prudence and temper come first from this side, I will undertake for America, that she will follow the example. There are two lines in a ballad of Prior, on a man’s behaviour to his wife, so applicable to you and your colonies that I cannot help repeating them:

“ Be to her faults a little blind;
“ Be to her virtues very kind.”

In conclusion, he gave it as his opinion, that the stamp act should be repealed absolutely, totally, and immediately; and the reason assigned, that it was founded on an erroneous principle. At the same time, let the sovereign authority of this country over the colonies be asserted in as strong terms as can be devised, and be made to extend to every point of legislation. That we may bind their trade, confine their manufactures, and exercise every power, except that of taking their money without their consent.

THE address was carried without division.¹ In the course of this debate, it was affirmed that the ministry encouraged the numerous petitions which were presented to the house for a repeal of the stamp act. The same assertion has been repeated by other writers,² and wears an appearance of truth, as the ministry were determined to effect that favourite measure, although the manner of carrying it into execution was left intircly undecided.

HAVING formed this resolution, they would have acted with greater dignity and propriety in dissolving the parliament. The same house

¹ This debate is given at an unusual length from its great importance. It is to be found in Debrett's Debates, vol. iv. p. 288, and in the Life of Lord Chatham, vol. i. p. 497, where the editor states that the speeches were taken by Sir Robert Dean, assisted by the earl of Charlemont. The whole debate was published in the year 1766, in the form of a pamphlet, intitled, "Political Debates," and to evade the resentment of the house, the place of impression was said to be Paris. Mr. Pitt's speeches do honour to his abilities as an orator, but not to his wisdom as a politician; or his prudence as a senator. Mr. Burke made his first parliamentary exertion in this debate, and acquired the applause of Mr. Pitt; but no account of his speech is yet given to the public.

² See lord Nugent's speech, Debrett's Debates, vol. iv. p. 288. Stedman's History of the American War, vol. i. p. 45.

CHAP.

IX.

1766.

of commons, by annulling all their former acts, exposed themselves to ridicule, and all those who had supported from principle the measures of the late ministry, would be ready to join in a rancorous and inveterate opposition. Even some who voted with the administration, and declared opinions favourable to the repeal of the stamp act, attributed their conviction solely to the arguments of Mr. Pitt, who accompanied those arguments with a declaration that the ministers did not possess his confidence. Hence a strong opposition party was formed, and the ministers were open to attack on all sides. Their efforts for the repeal of the stamp act, were attributed to motives utterly inconsistent with the independence which marked their characters; it was even asserted that they were *bullied into* that measure by Mr. Pitt.^a On the whole, although the Rockingham administration was composed of men who, in themselves and their connexions in both houses of parliament, united a large portion of ability and character, yet their strength was so doubtful, that the nation could not with confidence expect their stability and permanency. They did not possess the esteem of the court, were opposed by a strong party in parliament, and the respect of the people towards them as individuals was diminished by the opposition of Mr. Pitt, and the notion which was carefully inculcated, that by separately accepting official situations, they diminished the true Whig interest.

THE utmost concession, agreeable to the views of those who were strenuous in supporting the authority of Great Britain, was a partial

^a Burke's Works, vol. i. p. 553.

repeal,

repeal, or modification of the stamp act. Those who followed the principles laid down by Mr. Pitt, demanded a total relinquishment of the measure, and that the assertion of the supreme authority of Great Britain should be accompanied with an humiliating declaration. The ministry pursued a middle course: they resolved to repeal the tax, without specifying their reasons, but at the same time to declare the undoubted right of parliament to make laws binding the British colonies in all cases.^b

To establish the propriety of these measures, witnesses were examined, and particularly Franklin. His testimony, which deserves great attention, tended to prove the stamp duty in every respect impolitic, and injurious to the country; that the Americans would never submit to it, however modified, unless compelled by force of arms. He was of opinion that the colonists would be satisfied with the repeal, even though an act should be passed declaring the right of parliament to impose taxes at pleasure; but the assemblies would never be induced, either by kindness or compulsion, to rescind their resolutions.

21st Jan.
Evidence
before the
house.

On application for leave to bring in a bill to *repeal* the stamp act, a motion to substitute the words *explain and amend* was over-ruled. The minority was numerous and respectable, both for talents and property.^c Repealing and declaratory bills were introduced; they were carefully moulded in a committee, which sat six weeks; and after passing the house of commons, though not without strong debates and divisions, were sent up to the lords.

^b Burke's Works, vol. i. p. 550.

^c For the amendment 167, against 273.

CHAP.

IX.

Debates in
the lords
on the de-
claratory
act.

IN the upper house, lord Camden made a strong speech against the declaratory bill. He averred, that taxation and representation are inseparable; this, he said, was no novelty; it did not originate in Edward's or in Henry's reign, but was coeval with the constitution. There is not, he said, a blade of grass, growing in the most obscure corner of this kingdom, which is not, which was not ever represented since the beginning of the constitution; there is not a blade of grass which, when taxed, was not taxed by the consent of the proprietor. He spoke with enthusiastic, but perhaps exaggerated admiration of Locke's principle, that the supreme power cannot take from any man any part of his property without his own consent, and refused his assent to any bill for taxing the American colonies, while they remained unrepresented.

On the re-
pealing
act.
11th Mar.

THE repealing act met with a still more determined opposition. On the second reading, a strenuous debate took place, and the majority on the division was by no means flattering to the ministry.^d A masterly protest was entered on the journals by thirty-three peers. On the third reading there was a similar debate, and a new protest, of equal force and importance, signed by twenty-eight.

17th.

Act of in-
demnity.

IN addition to those two bills, another was passed for indemnifying those who had transacted business, and giving validity to writings executed without stamps. Acts were likewise framed for repealing several duties securing the trade of America, and opening free ports in Jamaica and Dominica.

26th Feb.
Cyder act
repealed.

PETITIONS were presented from the counties affected by the excise on cyder, praying

^d Contents 105, non-contents 71.

for relief. Accordingly, in a committee of ways and means, a bill was ordered for repealing so much of that law as affected private persons; and afterwards passed.*

CHAR.
IX.
1766.

THE question of general warrants was resumed under the auspices of the ministry, and occasioned several debates and motions. It was at length resolved, after various amendments, that "a general warrant for seizing and apprehending any person or persons, being illegal, except in cases provided for by the act of parliament, is, if executed on a member of the house of commons, a breach of privilege." A bill to restrain the issuing of warrants for seizing papers, except in cases of treason, or felony without benefit of clergy, under certain regulations, went through the house of commons, but was thrown out by the lords. An attempt was made to introduce another bill, for preventing the seizure of persons by general warrants, but failed of success. The result of these proceedings was, that the house of commons agreed with the judges on the illegality of apprehending any person by a general warrant, in cases of mere con-

22d April.
General
Warrants
declared
illegal.
25th.

29th.

* This repeal appears rather to have been an attempt to gain popularity, than a measure of sound judgment. Lord North, at a subsequent period (18th May, 1774) speaking of the opposition to this tax, and the motives for its repeal, used the following expressions, "Let gentlemen on the other side of the house reflect on a tax which was laid upon the maturest consideration, upon a consumption not taxed before, called for by every rule of equality, and so light, though at the same time productive, that scarcely any body could feel it. Every gentleman will see I mean the cyder tax. That tax, against which there never were two syllables of common sense urged, was repealed upon the cry of liberty being in danger: the exciseman will invade our houses, castles if you please; yet a small composition would have kept out the exciseman, so that to a gentleman of four thousand pounds a year, the payment would have amounted only to forty shillings a year. Unhappily, however, for this country, the cyder counties gave us financiers, and the tax was repealed."

structive

CHAP.

IX.

1766.

frustrative delinquency, and therefore declared that a member of parliament so illegally apprehended, had a right to complain of a breach of privilege.

Act for restraining
the importation of
silks.
24th May.

AN act for restraining the importation of foreign silks, occasioned a joyful and numerous procession of the Spital-fields weavers, and, as a scarcity of corn was apprehended, measures were taken to insure a more copious provision, to prevent exportation, and to enforce the laws against monopoly, forestalling, and regrating.^f

Other acts
of the ministry.

BESIDES these parliamentary transactions, the ministry concluded a commercial treaty with Russia; obtained from France a liquidation of those bills, which since the cession of Canada were left in an unsettled state; revised, and put in a train of satisfactory adjustment, the long deferred Manilla ransom, and made vigorous remonstrances to the court of France for the demolition of Dunkirk harbour, which produced some effect.^g

Their feebleness.

BUT although many of these efforts were important, and apparently calculated to gratify the public, the administration was not popular. They were considered by some as officious intruders, who weakened the true Whig interest, by keeping Mr. Pitt out of place;^h by others as mere engines, employed to annul some late unpopular measures, but who dared not pursue an independent system of conduct, and who, in affecting to counteract lord Bute's plans, did not venture to remove his agents from their posts.ⁱ

^f Debrett's debates. Journals. The parliament was prorogued the 16th June.

^g Burke's Works, vol. i. 254, 385.

^h See Debrett's Debates, vol. iv. p. 358.

ⁱ Observations on the Late and Present Administrations, 1765.

IT was obvious, on the prorogation of parliament, that the ministry would not long retain their station. Even before that period they appeared to have adopted a system, and a mode of conduct, which was not agreeable to the sovereign. One cause of offence was the delay in applying to parliament for a provision for the king's younger brothers. The ministers had given strong hopes of obtaining it, but afterwards, through inattention or embarrassment, omitted carrying their promises into effect till the committee of supply was closed.*

SENSIBLE that administration possessed neither extensive popularity, nor the confidence of the crown, the duke of Grafton resigned the seals of secretary of state, which being refused by lord Hardwicke, were delivered to the duke of Richmond; lord Hardwicke, however, accepted a seat in the cabinet council, and thus lent his aid to the administration, although he declined a situation attended with emolument. The duke of Grafton justified his resignation by declaring that the ministry wanted strength to guide the helm with success. He did not, he said, object to the persons, or the proceedings of those whom he quitted, but was convinced Mr. Pitt alone could give them strength and solidity. Under him he would be willing to serve in any capacity, not only as a general officer, but as a pioneer, and would take up a spade or a mattock. Actuated by the same sentiments, several other persons of great talents and popularity refused offices tendered by the ministry. Considering these circumstances, it ill became the Rockingham administration to attribute their loss of power to

Duke of
Grafton
resigns.

* From private information.

CHAP.

IX.

1766.

Intrigue of
the lord
chancellor.

June.

a cabal, a *double cabinet*, or a closet junto, especially after general Conway's declaration that he neither knew, saw, or felt a secret influence.¹

THE immediate cause of the dismissal of the ministry is attributed to an intrigue of the lord chancellor Northampton, who had long contemplated their feeble state, and meditated their overthrow. Soon after the prorogation of parliament, the affairs of Canada occupied the attention of the council. The proclamation issued in 1764, by which all the laws of Great Britain were introduced into the new acquisitions, occasioned great confusion and discontent. The natives complained that their laws of property were overturned, and new ones established, to the principles of which they were strangers, and even unacquainted with the language in which the decisions of the judges were to be pronounced. Lieutenant general Murray, governor of the province, had framed several *ordonnances* in pursuance of the proclamation, but the board of trade, in their report, considered them injudicious, and some new regulations were evidently necessary. The papers relative to these disputes had, according to custom, in the course of the winter, been transmitted from the council office to Messrs. Yorke and De Grey, the attorney and solicitor general, who from that, and other information which they collected, prepared a report for the consideration of the cabinet. This report contained a plan for the civil government of Quebec; the principal feature of which was to leave to the natives their ancient rights of property, or

¹ See *Thoughts on the Cause of the Present Discontents*. Burke's Works, vol. i. *passim*, and particularly p. 440.

civil laws, and to temper the rigour of their criminal code, by the more equitable and liberal system of English jurisprudence. At the first meeting of the cabinet to consider of this subject, which took place at the lord chancellor's house, he declared an entire disapprobation of the report, objected to some particular regulations, and gave it as his opinion that no proposition should be sanctioned by the cabinet, till they had procured a complete code of the laws of Canada; a suggestion which would occasion a delay of a whole year: the lord chancellor also complained of some slight instances of inattention which he had experienced: the meeting was dissolved without forming any definitive resolution, and before a new one could be convened, the lord chancellor declared his resolution to attend no more. The rest of the cabinet, considering the business of sufficient importance to demand their immediate attention, held two more meetings at the duke of Richmond's house at Whitehall. The attorney general, who had principally framed the report, and the solicitor general, assisted; Mr. Yorke gave the cabinet ample information on the principles by which he was guided, and obviated every objection to its final adoption, by proposing that it should be sent to Quebec for the inspection of governor Carleton, and the colonial crown lawyers, and submitted to their consideration, with instructions to return it corrected according to their judgment, with a complete code of the laws and ordinances of Canada. At the last of these cabinet councils every difficulty appeared to be obviated; lord Egmont, who recommended the measure of consulting the attorney and solicitor general, went out of town, declaring

4th July.

CHAP. IX. declaring his willingness to confide his judgment to their decision; and the attorney general himself, conceiving his presence no longer requisite, retired into the country. At this period the stability of the ministry was extremely doubtful, but as the private intentions of the chancellor were not fully known, their immediate dismissal was not expected.

THE day succeeding the last cabinet council, the lord chancellor in an audience informed the king the ministry could not retain their situations, that he would not attend any more cabinet meetings, and should not think it proper, under such circumstances, to hold the great seal.^m

Overtures
made to
Mr. Pitt.

THE resolution to dismiss the ministry was speedily adopted, and the eyes of the court were naturally turned to Mr. Pitt, whose popularity continued undiminished, and who had recently acquired a large estate from the bequest of Sir William Pynsent. The negotiation was opened by offering a *carte blanche*; and general Conway, who retained his situation of secretary of state, assisted in making the new arrangement.

15th.

WHEN Mr. Pitt, thus assisted, had formed an administration, lord Temple was sent for, and had a conference with the king, and with lord Northington. The next day he went to Mr. Pitt, who said, as he thought lord Temple indispensable, he had requested the king to send for him, and to make him first lord of the treasury, and at the same time produced a list of persons who were to take places under them, and which he added was not to be altered. Lord Temple, hurt at this peremptory declara-

16th.
Mr. Pitt
quarrels
with lord
Temple.

^m From private information.

tion, complained of ungenerous treatment, and intimated that he could not accept a situation of high responsibility, without, at least, an equal share of power with Mr. Pitt. During the conference, lord Temple exerted every effort to effect an accommodation: he conceded that his brother, Mr. Grenville, should support the ministry without either place or influence: he nominated earl Gower and lord Lyttleton to official situations, but they were peremptorily rejected. Lord Temple said, this conduct shewed Mr. Pitt's determination to be sole and absolute dictator, to which he would not submit, and closed the conference with some severe observations on Mr. Pitt's want of generosity and kindness."

Thus was dissolved, in anger, that connection between the two brothers which had subsisted so many years; which was fortified by a participation of official honours and public acclamations; which was considered too firm for chance, and rather to be strengthened than enfeebled by time."

DIVESTED of so respectable a coadjutor, Mr. Pitt proceeded in the formation of a ministry, though aware of being embarrassed by difficulties hitherto unforeseen. But the greatest

" Lloyd's Inquiry into the conduct of a late right honourable commoner, from which the account of this transaction is copied into the life of lord Chatham.

" Their cordial intimacy was mentioned in a publication at the beginning of the year, in these terms: "As to lord T. and Mr. P. "they have ever since their dismissal lived in such a state of the "warmest friendship for, and entire confidence in, each other, as "does honour to the greatness of their minds, and that true love of "their country which is the only ruling principle of both their actions. And for the comfort and satisfaction of the public, I will "add, that the cordiality which subsists between them is sincere and "unalterable, notwithstanding the many sinister and infamous attempts to divide them, contrived by the favourite and the present "ministers."

CHAP.
IX.
1766.

difficulty arose from his own ardent and decisive temper, aggravated probably by sufferings arising from ill health. The consciousness of his extensive abilities and uncommon talents, which had secured to him, for so long a period, an unlimited ascendancy in the councils of the nation, rendered him bold in his undertakings, and confident in his powers; but he was at the same time lofty, inflexible, and ungracious. A kindness offered by him was scarcely less mortifying than a refusal from persons endowed with greater suavity of demeanor. The ill effects of this failing had been counteracted by the more affable manners of lord Temple; but Mr. Pitt now found it subjected him to many mortifications: in selecting a cabinet, he had no resource in his own mind, and no mode of conciliating the esteem, or satisfying the expectations of his coadjutors, but by the distribution of pensions.

Mr. Pitt's
ministry.

THE arrangements were at length made; the duke of Grafton, not destined to carry a mattock, but to appear as a general officer, was placed at the head of the treasury. Charles Townshend was constituted chancellor of the exchequer, and entrusted with the management of the house of commons. Lord Shelburne was appointed secretary of state for the southern department. Lord Camden, Mr. Pitt's chosen friend, and constant adherent, was raised to the high office of lord chancellor. The earl of Northington thus deprived of the great seal, succeeded the earl of Winchelsea as president of the council. The marquis of Granby was placed at the head of the army. Mr. Pitt, though in fact the leader of the administration, took only the office of lord privy seal:

30th.
He is made
a peer.

feal : he was created a peer by the title of earl of Chatham.^p

CHAP.
IX.

ON the conclusion of these arrangements the Rockingham administration were dismissed; they retired from their offices at the express command, as they had accepted them at the earnest request, of their royal master.^q Their dismissal was no less ungracious than sudden, as they were deprived of their offices without being accused of any fault or error in conduct. They had the mortification of seeing many of their subalterns, and those whom they had brought into office, follow the standard of their rivals; the example being set by general Conway.

Rockingham administration dismissed.

THE marquis of Rockingham's retreat produced some exhibitions of regret, and a few attempts to render his exit illustrious; but they were merely personal and local, being confined to those classes of society who were principally benefitted by his administration, and to those districts where his influence particularly prevailed.

Compliments paid to the marquis of Rockingham.

LORD CHATHAM was assailed with all the virulence of party malice. He who was lately accused of bullying Rockingham, was now de-

Efforts to render lord Chat-ham unpopular.

^p Lord Northington, as a compensation for the difference between the presidency of the council and the more honourable and lucrative post of chancellor, received a pension of 2000 l. in addition to the salary annexed to his new situation; a pension of 4000 l. for life from the period of his dismissal from the presidency, and a reversionary gift of the office of clerk of the hanaper in Chancery for two lives, after the death of the duke of Chandos. Lord Camden, as an indemnity for the loss he might sustain by sacrificing an establishment for life as chief justice of the Common Pleas to one of more precarious tenure, obtained a reversion of the first tellership of the exchequer which should become vacant, for his son, and a grant of 1500 l. a year on the Irish establishment, to commence from the period when his son became teller of the exchequer. Mr. de Grey was made attorney-general; and Mr. Willes solicitor-general.

^q Burke's Works, vol. i. p. 255.

CHAP.

IX.

1766.

cried for crouching to Bute ; he who had resigned an official situation, because he would not be responsible for measures which he could not guide, was now supposed the willing agent of men whom he did not approve. Though he had recently declared in parliament, that he could not submit to be minister, where he felt an over-ruling influence, and that his objection to lord Bute was personal, and not national ; he was now decried as the dupe of lord Bute, and contemptuously reproached with being caught in a Scotch trap. The city of London, where he had so lately been idolized, repeatedly declined presenting an address on his appointment. Every engine of calumny was employed to render his conduct odious : his peerage was a never-failing source of invective ; his quarrel with lord Temple was unsparingly discussed, and a pamphlet of considerable size was formed by the republication of paragraphs which appeared against him in the newspapers on this single occasion.

Lloyd's Inquiry into the Conduct of a Late Right Honourable Commoner.

CHAPTER THE TENTH.

Retrospective view of the affairs of India. — Origin of territorial acquisition by the Europeans. — Hostilities between the French and English. — Arrangements at the peace. — Disputes of the native princes. — Destruction of Delhi. — Independence of the nabobs established. — Affairs of the Carnatic — and of Bengal. — Intrigues of Jassier Ally. — Siege of Patna by the Shah Zaddah. — Treachery of the young nabob, Jassier's son. — His misconduct, and sudden death. — Position of Mir Jassier's affairs. — The Shah Zaddah declared Great Mogul. — Interview of the British council with Cossim Ally, Jassier's son-in-law, at Calcutta. — Expedition to Moorshedabad. — Revolution in Bengal. — Jassier deposed. — Cossim proclaimed Nabob.

THE events of the last war, the convulsed state of India, and some recent transactions, produced a material change in the nature and objects of the East India Company: a commercial society was raised into a territorial power, and instead of depending on the native princes for protection, or permission to exercise commerce, became regulators of their politics, and arbiters of their destiny.

SUCH a change, which gave unbounded wealth to numerous individuals, and so large a share of importance to a chartered commercial association, could not fail of exciting the attention of the public; and the affairs of the East India Company, from the early period of the present reign, formed a leading subject in

CHAP.

X.

Retrospective view of the affairs of India.

CHAP. the contemplations of statesmen, and in the
 X. speculations of politicians.

Origin of
 territorial
 acquisition.

THE acquisition of territorial power in India, by the European traders, was of recent date, and originated with the French. Dupleix, the governor of their forces in India, about the year 1748, was anxious to secure to his country the commercial and political advantages arising from the possession of a landed settlement. He commanded a larger number of troops than was usually employed by the Europeans in India; and having ascertained the dispositions and interests of the native sovereigns, commenced the execution of his magnificent project. The subahship of the Deccan, and the nabobship of the Carnatic, both becoming vacant, he eagerly embraced the favourable opportunity of raising two princes to those situations, from whose gratitude, dependency, or feebleness, he formed the greatest expectations. By the exertions of Dupleix, Salabat Jing was made a subahdar of the Decan, and Chunda Saib nabob of the Carnatic.

Distrac-
 tions of the
 mogul em-
 pire.

SINCE the death of the great emperor Aurengzebe,^a the mogul empire had been torn by domestic distractions, and desolated by ferocious invasions; and the circumstances in which it was placed at this period, were peculiarly favourable to the designs of Dupleix. The people of Delhi were not recovered from the dreadful devastations of Nadir Shah, the Persian,^b when new irruptions succeeded, and the authority of the descendants of Timur was reduced to the lowest ebb, by the assumed independence of the governors of provinces, who

^a In 1707.

^b In 1738.

refused to yield tribute, or own subjection, to the monarch from whom their power was originally derived. These claims of independence began in the reign of Mahomed Shah.^c The weakness of his successor Ahmed Shah, combined with the embarrassments to which he was subjected from the formidable attacks of Achmet Abdalla, a fortunate and valiant rebel, afforded the different subahdars and nabobs the means of consolidating their power, and rendering themselves superior to control.^d

IN the early years of Ahmed's reign, Dupleix first exerted himself in obtaining territorial possessions in Hindostan, and for that purpose disposed of two governments to princes whom he employed as mere engines to forward the schemes which flattered his ardent imagination.

HIS views were fully answered by the cession of Pondicherry, Masulipatam, and various provinces and islands, which made the French East India Company masters of the coast for the space of six hundred miles, and put them in possession of a tract of country more extensive than all the dominions which their king possessed in Europe. These important acquisitions increasing the ambition and cupidity of the French, they meditated a monopoly of all the Indian commerce, and formed projects for the expulsion of the other European colonists.^e

Ambition
of the
French.

BUT the acquisition of such great advantages by a power so restless and intriguing as France, could not be regarded with indifference by the

^c He died in 1747.

^d Dow's History of Hindostan, vol. ii. Appendix.

^e Raynal's History of the East and West Indies, vol. ii. b. 4. Lord Clive's Letter to the Proprietors of India Stock, 1754, p. 4.

CHAP.

X.

other European nations, who were equally interested in maintaining a certain share of influence in India, and who saw with regret and terror the progress of a scheme which tended to make the whole mogul empire a dependency of France.

Hostilities
between
them and
the Eng-
lish.

HOSTILITIES were soon commenced between the French and British forces; but the two countries being then at peace they did not engage as principals, but merely as auxiliaries to the different potentates of India,^f whose quarrels they affected to espouse for the sake of concealing their own views. In opposition to Chunda Saib, whom Dupleix had nominated nabob of the Carnatic, Saunders, the English governor, set up Mahomed Ally, and in the names of those two native princes, the European rivals fought to distress and subdue each other.^g

Arrange-
ment at-
tempted.

THIS war was carried on with uncommon vigour, and with various success, for six years; when efforts were made, by the cabinets of London and Versailles, to terminate hostilities, which it was supposed could not be much longer confined to the continent of Asia. The basis of the proposed accommodation was a project for establishing a perfect equality of territory, of strength, and of trade, on the coasts of Coromandel and Orixá. The terms were arranged between general Saunders, and M. Godeheu, but had not yet received a final sanction in England and France, when war was declared between those countries, in consequence of disputes relative to America.^h

^f History and management of the East India Company, p. 110.

^g In 1750. See Lord Clive's Letter to the proprietors of India Stock, p. 5.

^h Raynal's History of the East and West Indies, vol. ii. b. 4.

DUPLEIX was now removed, and replaced by the unfortunate Lally; the flames of war again raged in India, and the English, after sustaining many reverses, finally succeeded in reducing every place possessed by the enemy, whose power, after the capture and destruction of Pondicherry, seemed to be irretrievably lost.

CHAP.

X.

Events of the war.

SUCH was the situation of Great Britain and France, with respect to their Indian territories, when the treaty for peace was commenced in 1762. The importance of the acquisitions made by the English East India Company were fully appreciated by the minister, and he was properly tenacious of their interests. At an early period of the negotiation, he applied to the court of directors for instructions in settling the affairs of India.ⁱ Before the court gave the required determination, the duke of Bedford signed the preliminaries; and an article contained in them relative to the Carnatic, appearing to lord Bute subversive of the benefits to be expected from the successes of the British arms; he immediately informed the duke it was inadmissible. "Worn out," he said, "as we are, and loaded with debt, we must however continue the war, if that article is not altered." This resolute remonstrance had the desired effect; the treaty was revised, and rendered agreeable to the East India Company.^k

Arrangements at the peace.

YET lord Clive animadverted on this part of the treaty with some disapprobation. He admits that it is calculated to secure to the company the benefits they had a right to expect from their general's success, and that upon the

Observations of lord Clive.

ⁱ Smollett's complete History of England, vol. xvi. p. 209.

^k From private information.

CHAP.

X.



whole it is highly advantageous ; but he exposes some geographical and topographical errors, and condemns the manner in which Salabat Jing and Mahomed Ally are acknowledged, as pregnant with future hostilities.¹

Disputes of
the native
princes.

THE enfeebled state of the French did not authorize the company to dread a speedy accomplishment of his lordship's prediction ; but the distractions and crimes which pervaded all parts of India, engendered such extraordinary and sudden revolutions, that the British subjects could not, consistently with their own safety and well-being, desist from taking part in those quarrels, which in their origin and conduct threatened the British power with utter ruin.

Influence
of the Eng-
lish.

Being once engaged, their activity, valour, and importance gave them great influence, and intitled them to high consideration ; their aid was courted by all parties, and the overthrow of the French power leaving them without an adequate counterpoise, they became irresistible in several provinces of India. To explain this ascendancy a brief retrospect will be necessary.

Subversion
of the mo-
gul power.

THE supreme authority of the mogul throne was completely destroyed. Allumguire, the successor of Ahmed Shah, owed his accession to the treachery of his vizier Ghazi ul Dien, and he soon found that in receiving so high a promotion from the hand of a traitor, he made himself a tool to promote views of ambition in which his own interest was not consulted. The insolence, cruelty, and rapacity of Ghazi were excessive, and his authority so formidable, that Allumguire was compelled to conspire secretly

¹ Lord Clive's Letter, &c. p. 9.

against him.^m This measure was not attended with success; and Allumguire, together with his son Ally Gohar, were for some time detained prisoners. Ally Gohar, also known by the title of the Shah Zaddah,ⁿ at length escaped, and signalized himself by some exploits in Bengal, which will be related hereafter. His father was, in 1760, basely and cruelly assassinated the by vizier Ghazi, who placed on the throne a prince of the blood, named Shah Jehan.

THIS treachery occasioned the ruin of the city of Delhi. Achmet Abdalla taking advantage of the feeble state of the empire, was joined by Nidgib ul Dowlah, an officer of the late mogul, who was highly incensed at Ghazi's treachery; they invaded Delhi, plundered the inhabitants, and after a massacre which lasted seven days without intermission, set the city on fire in several places.^o The misery of the Delhians was completed by an irruption of the Mahrattas, who found, even in the leavings of the barbarous Abdalla, some spoils which excited rapacity. They not only plundered these unfortunate wretches of their remaining property, but, after stripping them naked, whipped them through the streets, and left them victims to all the miseries of famine and desolation, which produced such scenes as cannot be contemplated without horror and disgust. Thus the imperial city of Delhi, which in the days of its glory was said to contain two millions of people, became almost a heap of rub-

Destruction of
Delhi.

^m In 1757.

ⁿ Shah Zaddah signifies the king's son, and Ally Gohar was distinguished by that title during his father's life. See Dow's History of Hindoستان, vol. ii. p. 76. Appendix.

^o In 1761.

CHAP.
X.

The inde-
pendence
of the na-
bobs esta-
blished.

Affairs of
the Carna-
tic.

Of Bengal.

bish, and thus the last remains of the mogul power were extinguished.^p

AFTER the depression of the supreme authority in Hindostan, the claims of the country potentates, and even of the European settlers, became more generally acknowledged, and their ascendancy more firmly established. The anxiety and jealousies attendant on a recent acquisition of sovereignty, and the want of stability which accompanies a contested claim, laid the foundations of future animosities, as well between the native princes and pretenders, as between them and the English company.

MAHOMED ALLY, nabob of the Carnatic, grateful for the support he constantly received from the English, was at all times a steady and affectionate adherent to their interests. During the war, his liberality was displayed in the most conspicuous manner, by ample donations and military aid, exceeding the scope of reasonable expectation, and were often rendered additionally welcome and honourable by being intirely unsolicited. The friendship of this prince was ever productive of the highest benefits to the company.^q

IN Bengal a more turbulent disposition was displayed; there the British power was not only endangered, but brought to the very brink of ruin. For some time after the deposition and death of Surajah Dowlah, his successor Mir Jaffier Ally continued to exhibit the most friendly sentiments towards the English, to whom he was conscious that he chiefly owed his elevation; but at length the derangement of his

^p Dow's History of Hindostan, vol. ii. Appendix.

^q History and management of the East India Company, p. 132.—
State of facts relative to Tanjore, p. 19.

^r See Smollett's History, vol. iv. p. 120.

finances,

finances, and the intrigues of his servants, acting upon a jealous and tyrannical disposition, produced a series of complicated altercations on both sides, which terminated in an inveterate aversion.^s

CHAP.

X.

MIR JAFFIER was feeble, treacherous, and cruel; and his necessities compelled him to have recourse to such oppressive measures as alienated the hearts of his subjects. His son Miran, a weak and voluptuous youth, was constantly forming projects for shaking off all connection with the English; he represented to his father, that until he relieved himself from such dependence, his government was merely nominal.

Intrigues
of Mir
Jaffier.

THESE remonstrances had the intended effect, and the English were in danger of being the victims of some grand effort of force or treachery, when the Shah Zaddah invaded Bengal, and laid siege to Patna. Mir Jaffier's cruelty and injustice, together with other motives of selfishness and interest, which have considerable influence among the Asiatic potentates, induced many of his subjects and dependents to join the Shah Zaddah, who would probably have surmounted all resistance, had not colonel Clive, by a masterly and rapid march, arrived unexpectedly before Patna, and compelled the prince to raise the siege with precipitation.

1759.

DESPAIRING of success while the English were numbered among his foes, the Shah Zaddah, more than once, wrote to Clive, offering any terms for the company, and for himself, if he would quit Mir Jaffier, and join him. The colonel, urged by every motive of policy and

Offers of
the Shah
Zaddah.

Jan. 1760.
Clive re-
turns to
England.

^s Transactions in India, p. 37.

honour,

CHAP.

X.



Siege of
Patna.

honour, refused these offers, and at length returned to Europe, where he was rewarded with a peerage of Ireland.

THE command of the army now devolved on colonel Caillaud, and the presidency of the council on Mr. Holwell till a new president should arrive. The Shah Zaddah, at the head of thirty thousand men, renewed his attempt on Patna. The hatred in which Mir Jaffier was held, combined with the absence of the English forces, gave the Shah Zaddah reasonable prospects of success; but the rajah Ramnarain, who resolutely defended his post at Patna, marched out, at the head of forty thousand men, to keep the prince in check. Colonel Caillaud and Mir Jaffier had forwarded express instructions to avoid an engagement till the European troops with the colonel, and the intended reinforcements under the nabob's son, could advance to his aid. But Ramnarain eager to distinguish himself, and relying on his superiority of numbers, resolved to hazard a battle, which he hoped would signalize his valour, and diminish the importance of the English auxiliaries. Independently of the instructions he had received, common prudence suggested the impropriety of this measure; for the rajah was acquainted with the treacherous disposition of many of his associates, and knew that from their hatred of Mir Jaffier nothing could be more probable than their inactivity at least, if not their desertion.

THE event was conformable to these expectations; Ramnarain fought with great valour, and was severely wounded in the combat; but was defeated. His ill success was, in a great degree, attributed to three of the principal rajahs who commanded under him,

and by signal acts of perfidy turned the fortune of the day. Ramnarain, too desirous of distinguishing himself, posted the few English troops who formed a part of his army at a great distance from his person. One of the treacherous rajahs attacked these troops, and thus diverted their attention from the enemy: another of the rajahs fell on Ramnarain's rear; and a third quitted the field in the heat of the action. Ramnarain continued the engagement to the last extremity; but as the greater part of his army was fled, and he in danger of being made prisoner, he called in the assistance of the English, who sent some seapoys to his relief, and brought him in safety off the field. The English made an orderly retreat, and such was the terror excited by their prowess, that they were suffered to march off without interruption.

THE prince, encouraged by success, again laid siege to Patna; but Ramnarain, whose wounds did not hinder him from adopting requisite measures for the protection of the city, was now anxious to repair by prudence the effects of his late misconduct. To the ordinary means of defence he added a small share of Gentoo duplicity; and by giving the besiegers hopes of a surrender, and some other finesses, contrived to amuse him till colonel Caillaud and the young nabob were arrived within a short distance of Patna.

THE Shah Zaddah, sensible of his error in suffering this delay, marched against the young nabob, and offered him battle. Miran, who on many occasions shewed a fixed resolution to impede the measures proposed by the council, delayed the engagement for two days. It terminated advantageously to the nabob, although

Treachery
of the
young na-
bob.

22d Feb.

CHAP.
X.
1760.

though in the onset, and throughout the whole of the day, he displayed so little skill, and a disposition so intractable, that the valour and conduct of the English alone preserved him from falling a sacrifice to his own temerity and want of judgment.

At the conclusion of the battle, Miran, who was slightly wounded, obstinately rejected Cailland's proposition to detach a force in pursuit of the defeated enemy; but retired to Patna, where he continued immersed in sensuality, and deaf to advice.* His more prudent adversary collected his scattered forces at Bahar, and carried his arms into the heart of Bengal. Miran, after a week of indolent voluptuousness, commenced his march, and was surprized with the information that his adversary had preceded him by two days.

19th Feb.

The Shah
Zaddah
marches to
Moorhedabad.

THE Shah Zaddah directing his course by an unfrequented pass, experienced many delays. The English troops, and those of the nabob, closely followed him, and sent, by a more easy route, expresses to Mir Jafier at Moorhedabad, who was no sooner apprized of his danger than he collected an army for the defence of his capital, and being joined by two hundred Europeans from Calcutta, took the field.

IN the latter end of March, the Shah Zaddah advanced within thirty miles of Moorhedabad; but here his good fortune terminated. The courage, promptitude, and wisdom, which dictated his inroad, seemed suddenly to desert him, and he wanted vigour to take the advantage of this favourable position. Mir Jaf-

* See colonel Cailland's evidence before the committee of the house of commons. Reports of committees to the house of commons, vol. iii. p. 158.

fier, unaided by his son, and the great body of English troops, marched out of Moorshedabad, and had he been successfully attacked before the expected junction, the capital of Bengal was lost. But the Shah Zaddah wasted his time in unavailing consultations, till Mir Jaffier and his son formed a junction of their forces near Burdwan.

CHAP.
X.
1760.

4th April.

DISPOSITIONS were immediately made for attacking the prince, and Caillaud again experienced the mortification of seeing his advice disregarded by the nabob and his son. He proposed, if they would give him a body of cavalry, and some spare horses to assist in carrying the Europeans, who were exhausted with fatigue, to attack the prince in his camp that night. This and other pressing solicitations being uniformly rejected, afforded the prince time to concert new measures: finding himself completely disappointed in his hopes of gaining the capital, he suddenly decamped. Judging from this rapid and unexpected movement that he meditated a new attack on Patna, colonel Caillaud dispatched captain Knox, at the head of a force which was deemed sufficient, to the relief of the city. Captain Knox displayed the greatest vigour and alacrity in his march, which he completed in thirteen days, although the distance was three hundred miles, and he was under the necessity of crossing the Ganges twice. Yet the Shah Zaddah, having advanced three days before him, reached the place of his destination, made two general assaults, and meditated a third, when Knox appeared. The garrison was but feeble, and great expectations were formed from this last assault; but the opportune arrival of the British troops inspired the besieged with so

6th April.

Returns to
Patna.

CHAP.

X.

1750.

His defeat.

great a degree of confidence, and struck such terror into the besiegers, that the assault was easily repelled; and thus, for a third time, Patna was saved in the most critical emergency. The next day captain Knox, at the head of his whole detachment, attacked the prince, drove him from his works, and compelled him to retreat, in extreme want, to the banks of the river Soane, fifty miles west of Patna.

War with
the rajah
of Pur-
neah.

25th May.

No sooner had the valour and prudence of the company's servants rescued this province from this formidable and persevering enemy, than another discovered himself in the person of Cuddeim Houssein, rajah of Purneah, who having retained for three years the revenues of his province from Mir Jaffier, assembled a large army, intending to join the Shah Zaddah; but the young nabob and colonel Caillaud utterly defeated, and put him to flight.

Negligence
of Miran.

IN this action, Miran behaved with his accustomed negligence and obstinacy. He halted near a mile in the rear of the British forces, left them unsupported to sustain an unequal conflict, and after the fight refused to risque his troops in a pursuit; by which means Cuddeim escaped with all his treasures. When his troops were refreshed, and he had persuaded Miran to assist, colonel Caillaud commenced the pursuit; they followed the route of the enemy five days, with favourable prospects of ultimate success, when the sudden death of the young nabob, who was struck by a flash of lightning, terminated the expedition. The fire pierced through the top of his tent, and as he slept, killed him, and one or two attendants. Colonel Caillaud, apprized of this event,

2d July.
His sudden
death.

secured the adherence of the army, who would otherwise, according to their usual custom on the death of a chief, have plundered the camp and dispersed. Fearful of probable disasters, he hastily measured back his steps to Patna, and distributed the troops into winter quarters.

A SHORT time after this transaction, Mr. Vansittart arriving at Calcutta as president of the council, colonel Caillaud was summoned from the army to report to the council the state of Mir Jaffier's affairs. Before he obeyed this order, he waited on the nabob, for the purpose of consulting with him on the untoward appearance of circumstances, and recommending such measures as would enable him to take the field at an early period, with advantage. Mir Jaffier promised to use every requisite exertion, and the colonel proceeded to Fort William.

ALTHOUGH the nabob's promises were calculated to satisfy Caillaud, it was equally remote from his power and his intention to give them effect. His tyranny increasing with his years, became insupportable; while his feebleness was such that his tributary rajahs retained his revenues, and if pressed to account for them, vindicated their contumacy by rebellion. The little money which came to Moorshedabad was squandered in licentious luxury; and the troops, deprived of their pay, broke out into frequent mutinies, which threatened the nabob's authority, and even his life. His ministers rivalled their master in rapacity and cruelty: famine besieged the poor, and aggravated to despair the sense of their other calamities. The English, who had greatly exhausted themselves in supporting Mir Jaffier, and in fighting his battles, were not only unrewarded, but hated:

CHAP.

X.

1760.

Colonel
Caillaud
goes to
Calcutta.

Position of
Mir Jaf-
fier's af-
fairs.

CHAP.
X.
1760.

the jealousy of the nabob was extended to all their transactions, and while they were strenuously occupied in promoting his interest, he placed no confidence in their councils, and withheld his support from their military exertions.

UNDER these circumstances, the council sent for Cossim Ally, the nabob's son-in-law, a prince whose talents were acknowledged, and afterwards fatally experienced, to confer on the exigencies of the occasion. The propriety of a new revolution had already been discussed in the council; but the project appeared so dangerous, and the choice of a successor to Mir Jaffier presented so many difficulties, that the scheme was never sanctioned.

May.
Shah Aul-
um great
mogul.

BEFORE this period Allumguire was assassinated, and by the exertions of the invader Abdalla, the Shah Zaddah was proclaimed king of Hindostan by the name of Shah Aulum. In his favour a revolution might with propriety have been effected; but, although this measure was just and expedient, prudence forbade the attempt. Shah Aulum's enemies were numerous and inveterate, and the support expected from Abdalla precarious. Without the cordial co-operation of Abdalla, the English would have increased their enemies, but could not derive any essential benefit from the measure.^a

State of the
English.

ALTHOUGH a total revolution was not in the contemplation of the company's servants when

^a See colonel Caillaud's letter to Mr. Holwell, 29th May 1760, published in Holwell's Address to the Proprietors of East India Stock, 1764, and in the reports of the house of commons, vol. iii. p. 159.

they

they sent for Mir Cossim, they undoubtedly meditated such a change in the administration of affairs, as should no longer leave them exposed to the versatility and weakness of Jaffier. This change was rendered more urgent by their own critical position; for though the war against Shah Aulum, and his adherents, was generally successful, the company's affairs bore an alarming aspect. Their money and effects were considerably exhausted; and Jaffier, far from aiding, impeded all their efforts to obtain supplies, and secretly intrigued with their enemies.

BEFORE the arrival of Mr. Vansittart, Cossim had often, in letters to Mr. Holwell, professed the strongest attachment to the company, and promised the most important compensations, if by their exertions he should be promoted to the succession of the Dewannee, and other posts enjoyed by his late brother-in-law. At Calcutta, he had an interview with Mr. Holwell, who was commissioned by the council to receive his proposals, which took place at seven in the morning. He then discovered unexpected views of ambition, urged the repeated treacheries of the Subah and Miran to their English benefactors, and expatiated on their cruelties and murders, and the universal abhorrence in which they were held by the people. He dwelt much on Jaffier's personal ingratitude to himself, which had been twice displayed in attempts on his life; exclaimed against the secret negotiation which he carried on with the Shah Zaddah and the Dutch; disclosed private orders by which he himself, when sent against the Dutch, was instructed to favour them, in contradiction to the public instructions imparted to Mr. Hol-

CHAP.

X.

1760.

Interview
with Mr.
Cossim.

25th Sept.

CHAP.

X.

1760.

well. He concluded by declaring the subah incapable of government, as no faith or trust could be reposed in him; and if he was not removed, it would never be in his own power to render the company those services which he ardently desired.

Mr. HOLWELL expressed astonishment and abhorrence at this proposal, and insisted on an immediate termination of the conference, unless Cossim totally relinquished his ambitious views. Cossim having reluctantly agreed to this restriction, a considerable altercation ensued, from which at length the following terms resulted:

I. COSSIM to be invested with the Dewannee, to be declared Chuta Nabob, and successor in the subahship to Jaffier, and to enjoy all the posts possessed by the late young nabob.

II. ALL acts of government to run under the seal, and in the name of Jaffier; but the executive power to rest in Cossim; the dignity of the subah to remain inviolable in the person of the former, with an allowance of one lack of rupees per menssem, for the support of his household and other expences.

III. COSSIM to pay the balance of the Tunkas, as lately adjusted with Omid Roy, on the part of Jaffier.

IV. THE company to maintain a standing force for the defence of the government and provinces, consisting of eight thousand seapoys, two thousand European foot, two thousand country cavalry, and five hundred European horse.

V. To enable the company to keep up the above standing force, the countries of Burdo-maan, Midnapour, Chittigong, and half the
annual

annual produce of the Chinam at Silhet, should be ceded to the company in perpetuity.

CHAP.

X.

1760.

Mr. HOLWELL was also desirous of introducing another article, importing that Shah Aulum should be acknowledged sovereign of Hindostan; this was neither accepted nor rejected, but left to be adjusted according to the train of future events. These articles were approved by the council, and interchangeably executed by them and Mir Cossim.

To give effect to this arrangement, major Yorke was dispatched to Moorshedabad, with a detachment of two hundred Europeans, four pieces of artillery, and five or six hundred seapoys, under pretence of reinforcing the garrison at Patna. Mr. Vansittart and colonel Caillaud also went to Cossimbazar, near Moorshedabad, for the purpose of aiding by their presence the intended change of government. Mr. Vansittart had two conferences with Mir Jaffier at Moradbaag; he remonstrated with great force on the improper measures so long pursued, and at the last interview, having reduced his advice to writing, delivered it for perusal. Jaffier listened with attention, and promised to consult his friends for the purpose of ascertaining the proper means of repairing his errors; confessing at the same time, that through age and grief for the recent loss of his son, he was incapable of struggling alone against so many difficulties. Mr. Vansittart observed that those he usually consulted were rather his enemies than his friends, and advised him to take the assistance of one of his relations, on whose attachment and fidelity he could safely rely. Mr. Vansittart named five or six, and among them Cossim Ally; but although Jaffier allowed him to be the most

Expedition
to Moor-
shedabad.

Mr. Van-
sittart's in-
terviews
with Mir
Jaffier.
12th.

CHAP. proper person to assume the government, yet
 X. such were his jealousy and dislike of his son-in-
 1760. law, that he was with great difficulty induced
 to send for him, but could not be prevailed on
 to make him the depositary of his authority.

Arrival of
 Cossim.

WHEN Cossim arrived at Moradnag, Jaffier
 was already departed, excusing himself on ac-
 count of feebleness and fatigue, from continu-
 ing a conference already much protracted.
 Cossim declared his apprehensions, that instead
 of intrusting him with the management of his
 affairs, his father-in-law would contrive means
 privately to destroy him; and Mr. Vansittart,
 already convinced that without compulsion
 Jaffier would not adopt the proposed arrange-
 ment, coincided in opinion with Cossim that
 he should not return to the nabob's house till
 measures were taken for his security.

Revolution
 in Bengal.

Mr. VANSITTART having left with Jaffier
 the letters containing the substance of his ad-
 vice, was inclined to allow him the whole of
 the next day to consider of their contents; but
 being informed that Jaffier had consulted with
 his old advisers, whose sentiments could not be
 favourable to the interests of the company, he
 made instant arrangements for compelling Mir
 Jaffier to adopt the mode of conduct which
 was requisite to the welfare of the English.

19th Oct.

THE nineteenth of October was a season pe-
 culiarly favourable to his design; it was the
 termination of a grand Gentoo festival, at
 which all the chief personages of the country
 assisted, and their weariness would prevent vi-
 gilance, and obviate opposition.

IN pursuance of Mr. Vansittart's orders, co-
 lonel Caillaud crossed the river with his detach-
 ment between three and four o'clock in the
 morning, and, in conjunction with the troops
 of

of Cossim, surrounded the nabob's palace. They seized Jaffier's three principal ministers, all men of low birth, and rendered infamous by their rapacity and crimes. Having formed his men, colonel Caillaud transmitted to Jaffier a letter, written by Mr. Vansittart, informing him of what was intended, and instructing him in the line of conduct most proper to be pursued.

THE old nabob, not expecting so rapid and resolute a movement, gave way at first to the impulse of rage; threatened resistance, and declared that, while life remained, he would not accede to the terms demanded. Colonel Caillaud, who had been instructed to avoid the effusion of blood, gave time for this transport of rage to subside, and in about an hour was called into the nabob's presence. He urged strongly the inutility of further opposition, and pressed him to adopt the measures suggested in the letter, but in vain. Jaffier rejected every offer, and at length, giving way to despondency, declared his resolution to relinquish the government, stipulating only for the preservation of his life. To this determination he inflexibly adhered; in vain was he assured that not only his life, but his authority should be secured: he said he too well knew the disposition of mankind, and of his countrymen in particular, to trust himself near Cossim, from whom he was convinced his life would be in perpetual danger, and requested permission to reside at Fort William, under protection of the English.

FINDING him inflexible, Mr. Vansittart at length acceded to his request, and Jaffier, attended by a strong escort of Europeans, taking with him all his effects, women, jewels, and treasure,

Mr Jaffier
departs for
Calcutta.

CHAP.

X.

1760.

Cossim
proclaimed
nabob.

treasure, repaired to Calcutta, where he was met by a deputation from the council, and treated with every mark of respect due to his former dignity. The throne being thus abdicated, Cossim Ally was proclaimed nabob, and received the customary homage: his election gave general satisfaction, and the tranquillity of the city remained uninterrupted.

Cossim instantly fulfilled his agreements with the English. He put them in possession of the departments of Burdwan, Midnapour, and Chittigong, a fertile and extensive tract of country, the annual revenues of which amounted to six hundred thousand pounds. He concluded an alliance offensive and defensive, and the affairs of the company promised soon to become more flourishing than ever.*

* The preceding narrative is derived from Dow's History of Hindostan; Verelst's View of the Rise and Progress of the English Government in Bengal; Holwell's Narrative; His Address to the Proprietors of East India Stock; Vansittart's Narrative, and his Letters to the Board at Calcutta; The History and Management of the East India Company; Transactions in India; the Defence of Lord Pigot; and the reports from the committees to the house of commons, published by authority.—The discussions and narratives of facts relative to the affairs of India, are so perplexed with the different representations of individuals, resulting from their passions, hopes, or prejudices, that no account can be given on the credit of any authority, which is not contradicted, almost diametrically, by persons whose narratives are equally unexceptionable. The manner of Mir Jaffier's abdication, or deposition and retreat, is thus related in a letter from Messrs. Coote, Amyatt, Carnac, Ellis, Batson, and Verelst, to the secret committee at the India House, dated the 11th March 1762, and printed in the reports from committees to the house of commons, vol. iii. p. 252:—In consequence of a treaty entered into with Mir Cossim, *for the deposition of Mir Jaffier*, Mr. Vansittart, under false pretences, repaired to Moradbaag, accompanied by colonel Caillaud, and two hundred European troops, and some scapoys, who, it was alledged, were intended to reinforce Patna. After delivering his letters in the most abrupt manner, and pressing Mir Jaffier to appoint his son-in-law prime-minister, Mr. Vansittart suffered the old man to depart, and Cossim arrived. That night and the day following were spent by Mr. Vansittart, Cossim, and colonel Caillaud, in concerting measures for executing their plan. "In consequence of these deliberations, our troops clandestinely crossed the river the next night, under colonel Caillaud, and being

ing joined by Cossim and his party, surrounded the nabob's palace: a letter from Mr Vansittart was sent in to the nabob, demanding his immediate compliance with what had been proposed to him; to which the nabob returned for answer, 'That such usage was what he never expected from the English; that whilst a force was at his gates, he would enter into no terms; and that it was his desire our troops might be returned to Moradbaag.' A message was then sent in, informing the nabob, that if he did not directly comply, they should be obliged to storm the palace. Astonished and terrified by this menace, he opened the gates, exclaiming, 'That he was betrayed; that the English were guilty of perjury, and breach of faith; that he perceived their designs against his government; that he had friends enough to hazard at least one battle in his defence; but although no oaths were sacred enough to bind the English, yet as he had sworn to be their faithful friend, he would never swerve from his engagement, and rather suffer death than draw his sword against them.' So suspicious was he of being sold, that, 'he desired to know what sum of money Cossim Ally Khan was to give for the subahship, and he would give half as much more to be continued: he hoped however, if they intended to dethrone him, they would not leave him to the mercy of his son-in-law, from whom he feared the worst; but rather wished they would carry him from the city, and give him a place of safety in Calcutta.' This last request of the nabob's, the effect of his fear and despair, was immediately laid hold of, and construed in the light of a voluntary resignation. Accordingly, our troops took possession of the palace, Mir Cossim was raised to the musnud, and the old nabob was hurried into a boat with a few of his women and necessaries, and sent away to Calcutta in a manner wholly unworthy of the high rank he had so lately held, as is also the scanty subsistence allowed him here by his successor. Thus was Jaffier Ally Khan deposed, in breach of a treaty founded upon the most solemn oaths, and in violation of the national faith; a prince of whose friendship and attachment you have had many signal proofs; in whose cause our arms have with much honour been employed; and by a firm adherence to whom the English had acquired, throughout the whole country, so universal a character of fidelity and constancy, that the most perfect confidence was placed by the natives in them."

CHAPTER THE ELEVENTH:

1760—1763.

Affairs of India continued.—Conduct and character of Mir Cossim.—His efforts to destroy the rajah Ramnarain.—Differences in the council respecting the revolution.—Conduct of the English to Cossim.—His efforts to diminish their influence.—Mr. Vansittart goes to Monghir.—Concludes an improvident treaty, the enforcement of which occasions many complaints.—Deputation sent to Monghir, who are ill-used and assassinated.—Patna taken by the English—but recaptured, and the factory made prisoners. Mir Jaffier restored.—Successful military operations of major Adams.—Massacre of the British prisoners at Patna.—Capture of that city.—Total conquest of Bengal.—Flight of Cossim.

CHAP.

XI.

1760.

Conduct
and character
of Mir
Cossim.

THE flattering prospects opened by the elevation of Mir Cossim were not long enjoyed without alarm. If the welfare of the company was endangered by the weakness of Jaffier, it was soon exposed to greater peril from the superior activity and intelligence of his successor. Cossim was bold, subtle, and enterprising, and of a commanding genius; he felt with shame and regret his subjection to the English; and determined, as soon as he had secured the benefits which he expected from their assistance, to retrench their power, and perhaps ultimately deliver himself from their presence. He did not however indiscreetly betray his intentions to the prejudice of his interests,

interests, but maintained a cautious dissimulation till his great views were accomplished.

By the aid of major Carnac and the English forces, he defeated and took prisoner Shah Aulum, with whom he soon after made an advantageous treaty; but although he restored to the prince his liberty, and professed good intentions towards him, he opposed with great duplicity, though with perseverance and success, Mr. Holwell's proposal for acknowledging and supporting his title to the Mogul throne; a measure which was rendered the more impracticable by Shah Aulum's own imprudence.

Cossim next availed himself of the assistance of the English in reducing to obedience the rajahs who withheld the revenues of his predecessor, and having accomplished this object, sought by a strict and well-regulated economy to prevent those necessities which had rendered his father-in-law's government unstable, and facilitated its subversion. As a last effort, before his display of hostile intentions against the English, he prevailed on them to give up the rajah Ramnarain, the firm friend of the company, and for that reason obnoxious to the ambitious nabob. In this measure he met with considerable opposition from major Carnac and colonel Coote. Ramnarain is described as a man of abilities, but avaricious, and supposed very wealthy. He was protected by lord Clive against the rapacity of Mir Jaffier; he owed his continuance in power intirely to the British influence, and the council considered it their duty for some time to persist in the policy adopted by lord Clive. The pretext for oppressing this man was his being in arrear to the nabobs, but he always testified

CHAP.

XI.

1760.

Defeat of
Shah Au-
lum.

Cossim's
efforts to
destroy the
rajah Ram-
narain.

CHAP. testified the utmost readiness to come to a fair
 XI. and equitable account.

1760.

AFTER the defeat of Shah Aulum, who immediately repaired to Sujah ul Dowlah, the council proposed proclaiming him; Mir Cossim appeared to consent, but afterwards adopted other views, and taking advantage of the feebleness of the British force at Patna, attempted by bribery to gain the custody of Ramnarain, and by treachery to obtain possession of the city gates. He offered colonel Coote seven lacks and a half of rupees (90,750 l.) to deliver up Ramnarain, and afterwards endeavoured by terror and treachery to secure to himself the means of seizing him. Carnac, who commanded at Patna before colonel Coote, refused obedience to the orders of council, which directed him to deliver up the devoted rajah to his enemy, and thus drew on himself a great share of indignation.^a Coote magnanimously persevered in the same line of conduct. Cossim had the address to represent the conduct of Coote in such a light, that in consequence of some severe letters from the board, he repaired to Calcutta to vindicate his conduct. In the absence of colonel Coote, Cossim's malevolence was gratified, and one of the firmest friends of the company was sacrificed to a false, timid, and interested policy. Being now secure against all opposition from his own subjects and dependents, Cossim displayed less forbearance and caution towards the more formidable objects of his apprehensions.

Differences in the council respecting the revolution.

ALTHOUGH it appears that the members of the council who were then present unanimously

^a See Appendix to the 3d Report of the Committee, numbers 13, 14, 15, and 16.

sanctioned

sanctioned the proposals stated to them by Mr. Holwell, as resulting from his private conference with Cossim, yet the other members did not approve of the revolution, which deposed in so sudden a manner, the prince whom lord Clive and admiral Watson had elevated, and thus annulled an act which was deemed the most fortunate and glorious of the British exploits in India.^b The situation of Mr. Vansittart was extremely critical: he was seconded by a majority in the council, but the minority was sufficiently formidable to fill him with apprehension. He therefore endeavoured by compliances to retain his interest with Cossim; and as the East India company had expressed their approbation of his past conduct, he hoped, by success, to obtain the same sanction for his subsequent proceedings.^c

CHAP.
XI.
1760.

IN fact, Mir Cossim did not recur to hostilities without provocation. The English officers not only disputed his orders, but on all occasions exhibited their superiority with an insolence insupportable to an Asiatic prince, who could not brook a mode of conduct which tended to render him and his commands contemptible in the eyes of his own subjects. The exemption from certain inland duties granted to the East India company was enormously abused. Not

Conduct of
the Eng-
lish to Cos-
sim.

^b See minutes entered in the books, at a consultation at Fort William 8th of January 1761, by Messrs. Amyatt, Ellis, and Harry Smyth; also a letter to the secret committee at the India house, dated the 11th March 1762, signed by Messrs. Coote, Amyatt, Carnac, Ellis, Batson, and Verelst. Reports from committees to the house of commons, vol. iii. p. 251, et seq.

^c This and the subsequent parts of the chapter, where no authority is expressly referred to, are taken from the Annual Register, 1764, 1765 and 1766; Smollett's complete History of England, vol. xvi; Transactions in India; Verelst's View of the Government of Bengal; the reports from committees to the house of commons; and the periodical publications.

CHAP.

XI.

1760.

only the English, and the seapoys in their pay, but natives assuming their dress and character, spread themselves over the country; oppressed, plundered, and maltreated the husbandmen, merchants, and tranquil inhabitants; defrauded the revenue by buying and selling the necessaries and luxuries of life at their own price, and without regard to the fiscal laws; they defied the authority of the nabob, and terrified his officers to such a degree, that they desisted from exercising their functions.^d Whatever pre-
tence

^d The following extract of a letter from Mr. Hastings to the governor, exposes these enormities in a clear and matterly manner: "I beg leave to lay before you a grievance, which calls loudly for redress. I mean the oppressions committed under the sanction of the English name, and through want of spirit in the nabob's subjects to oppose them. This evil, I am well assured, is not confined to our dependants alone, but is practised over all the country by people assuming the habits of our seapoys, and calling themselves our gomattahs (black agents or factors). As on such occasions the great power of the English intimidates the people from resistance; so, on the other hand, the indolence of the Bengalees, or the difficulty of gaining access to those who might do them justice, prevents our having knowledge of the oppressions, and encourages their continuance, to the great, though unmerited, scandal of our government.

"I have been surprized to meet with several English flags flying in the places which I have passed, and on the river I do not believe I passed a boat without one. By whatever title they have been assumed (for I could only trust to the information of my eyes, without stopping to ask questions) I am sure their frequency can bode no good to the nabob's revenues, the quiet of the country, or honour of our nation; but evidently tends to lessen each of them.

"A party of seapoys, who were on the march before us, afforded sufficient proofs of the rapacious and insolent spirit of these people, when left to their own discretion. Many complaints against them were made to me on the road, and most of the petty towns and serais (baiting-places for travellers) were deserted at our approach, and the shops shut up, from apprehensions of the same treatment from us."

The nabob also made his complaints on the subject, with firmness and dignity. "Every Bengal gomattah makes a disturbance at every factory, and thinks himself not inferior to the company. In every purgunnah (the largest division of land in a zemindary) every village and every factory, they buy and sell salt, beetle-nut, ghee, rice, straw, bamboos, fish, gunnills, ginger, sugar, tobacco, opium, and many other things, more than I can write, and which I think it needless

"to

tence for this conduct might be found in the weakness or injustice of Cossim's predecessor, he afforded no such excuse; he had hitherto conducted himself with great prudence, and fully answered all his engagements with the council.

CHAP.
XI.
1760.

WITH a view to emancipate himself from the inspection of the English, the nabob removed his court from Moorshedabad to Monghir, situated on the Ganges, two hundred miles further from Calcutta.

Here moves
his court to
Monghir.

HE surrounded this place with strong fortifications, increased his troops, and introduced a new system of discipline; he invited into his pay every wandering European who had borne arms, and all the seapoys dismissed from the British service, and distributed them among his own regiments to impart a knowledge of the European exercise. He changed the matchlocks of the Natives for firelocks, and formed a train of artillery on the English model. To render himself still more secure, he destroyed or imprisoned every considerable person in his dominions who shewed attachment to the English, and effectually interdicted all correspondence between his subjects and the company's officers. He began to enforce against the private traders the revenue laws from which

Increases
and discipli-
nes his
troops.

Restrains
the trade of
the Eng-
lish.

"to mention. They forcibly take away the goods and commodities of the ryots, (husbandmen) merchants, &c. for a fourth part of their value, and by ways of violence and oppression, they oblige the ryots, &c. to give five rupees for goods which are worth but one rupee; and, for the sake of five rupees they bind and disgrace an assamsee, who pays one hundred rupees malguzaree, (rents or land tax) and they allow not any authority to my servants; the officers of each district have desisted from the exercise of their functions, and every one of these gomastahs has such power, that he imprisons the collector, and deprives him of all authority whenever he pleases."

CHAP.

XI.

1760.

Alarm of
the coun-
cil.Mr. Van-
sittart goes
to Mon-
ghir;and con-
cludes an
improvi-
dent treaty.

they understood themselves to be exempt, and stopped their boats throughout his dominions.*

THESE proceedings filled the council with alarm and apprehension; but the complaints of the traders did not obtain much attention from Mr. Vansittart; he was highly sensible of the injuries sustained by the company from their conduct, and improper use of their pass, or dustuck, and had received instructions from the court of directors for restraining those abuses.

BUT the violence of Mir Cossim's proceeding, the peremptory manner in which he began those innovations, and the order in which they were accompanied, that all disputes with the company's servants, if beyond their own limits, should be tried by the nabob's magistrates, induced Mr. Vansittart to repair to Monghir, for the purpose of arranging the differences. To his expostulations the nabob answered in a firm and decided manner, and argued, that if the servants of the English company were permitted to trade in all parts, and in all commodities custom free, it would be his best policy to impose no customs, and thus give an active impulse to industry, increase his revenues by augmenting cultivation and manufacture, and finally obviate all causes of dispute.^f Anxious to avoid hostilities with a prince whom he had himself elevated to the throne, Mr. Vansittart imprudently concluded a treaty, which stipulated that the English traders should pay the inland duties, amounting to nine per cent. on all articles not brought or sent in by sea, and obtain passes from the nabob's officers; and all

* See appendix to the third report made to the house of commons on the nature, state, and condition of the East India Company, No. 17 to 26.

^f This conference took place in November, 1762.

their

their disputes with his subjects were referred to the decision of his magistrates.⁵

THE regulations which extended to other objects of commerce, had a tendency to ruin all who, on the faith of former treaties, engaged in the inland trade. The subahdar having obtained this valuable concession, immediately transmitted copies to the officers of his revenue, with instructions to conform to its terms. As the treaty limited no time from which its operations were to commence, the vessels passing from one town to another, were subject to the effect of an arrangement with which the proprietors were utterly unacquainted, and several boats with arms belonging to the English were seized at Patna, for non-payment of the duties demanded by the nabob's officers.

THE English factory at Dacca remonstrated that the execution of the treaty, together with the injunctions of Cossim, would tend to such a rapine and destruction of the British property,

CHAP.
XI.

1762.

Rigid execution of the treaty.

Complaints and exertions against it.

§ Mr. Vansittart is stated to have received from Mir Cossim a donation of seven lacks of rupees, (31,249 l.) for concluding this improvident and disgraceful contract. See reports of committees to the house of commons, vol. iii. p. 401, 402. In defending himself against this imputation, Mr. Vansittart alledges, 1st. That the receipt of presents was lawful, and a servant of the company rather intitled to commendation than blame, who exercised his opportunities with moderation. 2dly. That the whole donation was not a present to him, but included a payment of expences and purchases; and 3dly. That lord Clive falsified the statement of Bollackidais the Gentoo banker, to him; while the accusation is substantiated by the depositions on oath of Bollackidais, and another person. Such were the examples which led lord Clive to observe in a letter, dated the 17th of April 1765, "Give me leave now to lead you for a few moments into the civil department. See what an Augean stable is to be cleaned. The confusion we behold; what does it arise from? Rapacity and luxury; the unwarrantable desire of many to acquire in an instant, what only a few can or ought to possess. Every man would be rich without the merit of long services; and from this incessant competition undoubtedly springs that disorder, to which we must apply a remedy, or be undone; for it is not only malignant but contagious."

CHAP. as would reduce them to the same distress they
 XI. had experienced in the memorable year 1756.
 1762. The council of Calcutta voted it dishonourable,
 and as it was concluded without their acquies-
 cence, a breach of their privileges, and an
 unwarrantable dereliction of the advantages
 granted by the original phirmaund of the great
 mogul. Mr. Vansittart entered a minute on
 the books, in which he vindicated his proceed-
 ings by circumstances, and by a forced ex-
 planation of part of the council's letter of in-
 struction; at the same time he avowed that his
 treaty was not exempt from error, and protested
 against the tyranny of the nabob's officers, and
 their voluntary misconstructions in executing
 the authority which he had unwarily com-
 mitted to them.

13th Mar.
 Deputa-
 tion sent
 to Mon-
 ghir.

THESE dispositions on both sides portended
 inevitable hostilities, but as a last effort to main-
 tain tranquillity, a deputation was sent from
 Calcutta to Monghir. Mr. Amyatt, a member
 of the council selected for the moderation of
 his principles, and the suavity of his manners,
 was at their head. He had invariably opposed
 the revolution which placed Cossim on the
 throne, but without acrimony, or suffering his
 disapprobation to degenerate into a party feud.
 Great hopes were entertained from his charac-
 ter and manners; but Cossim was inflexible in
 maintaining the strict tenor of the treaty; he was
 daily obtaining fresh supplies of arms, and ap-
 peared buoyed up with notions of his own
 strength, and sufficiency to oppose the British
 troops. He was not influenced by the de-
 meanor of Amyatt, against whom he retained
 an unrelenting hatred: he even surrounded the
 English deputation with guards, and instead of
 treating them as ambassadors, or commercial
 missionaries,

Their
 treatment.

missionaries, detained them as prisoners, not only disregarding their complaints but refusing them permission to return.

CHAP.

XI.

1763.

MIR COSSIM, though able, vigilant, and enterprising in the cabinet, was a coward by nature: his mind was not expanded by liberal views of politics, but was selfish, crafty, and malignant. In his instructions for enforcing the treaty, he made a distinction between his friends and those who opposed his elevation, and his cruelty and perfidy were in conformity with those low and ungenerous principles.

AMYATT, failing in his negotiation, at length obtained the necessary passports, and departed with all his suite except two, from Monghir. This apparent relenting of the tyrant was, however, only a prelude to further cruelty, accompanied with flagitious treachery. In passing the city of Moorshedabad, the English were attacked by Cossim's troops posted on both sides of the river; and although they landed, and produced the nabob's own pass, were all inhumanly massacred.

24th June.
Departure.2d July.
And assassination.

MEANWHILE the disputes at Patna were carried on with increased acrimony: Cossim was continually sending fresh troops into the city, every thing wore an hostile appearance, the English factory apprehended that the place would soon be given up to the plunder of the rabble; the suburbs were entirely deserted, and misery and alarm generally prevalent. Mir Mindi Khan, the nabob's naib, omitted paying to Mr. Ellis, the chief of the factory, the usual compliment of acquainting him with his arrival: he carried on vigorous military preparations, possessed himself of the gates, insulted the British guards, and it was generally

Alarm at
Patna.

CHAP. XI. rumoured that he was sent for the purpose of expelling the English.

1763.
5th April.

14th.

The city
taken by
the Eng-
lish.

And re-
captured.

1st July.
Mr. Ellis
and his
party made
prisoners.

7th July.
Mir Jaffier
restored.

IN consequence of a letter from the factory stating these circumstances, the council resolved, in case of a rupture, and of the nabob's marching towards Patna, the factory should endeavour to possess themselves of the city, and keep it till further instructions. It became daily more and more apparent that an attack on Patna was intended, and Cossim declared that peace or war depended on the removal of the company's troops. Under these circumstances Mr. Ellis assailed and took the city, notwithstanding the strength of the fortifications, and the number of the garrison. Unfortunately the conquerors neglected all caution, and betook themselves to plunder in every direction; the governor and garrison, who had fled, perceiving this unmilitary conduct, returned, attacked the English, who were too much dispersed to make effectual resistance, and, after a considerable slaughter, compelled the survivors to retire within the fort; thus the city was recaptured with as little opposition as it had been taken. The factory, deeming their present situation untenable, crossed the Ganges in hopes of effecting a retreat into the territories of a neighbouring nabob; but were overtaken by a superior force, and though victorious in one engagement, were in a second intirely routed; Mr. Ellis and the remainder of the party were made captives, some were sent to Patna, and others to Monghir.

IN consequence of these disastrous events, the council of Calcutta proclaimed the restoration of Mir Jaffier, and prepared to depose Mir Cossim. The sense of present danger quelled

all

all party dissensions in the council; Mr. Vansittart and Mr. Hastings both entered minutes, in which, without renouncing their former sentiments, they declared their cordial acquiescence in the present measures.

CHAP.
XI.
1763.
8th July.

THE command of the forces being committed to Major Adams, he took the field at the head of two troops of European cavalry, and ten companies of seapoys,^h with twelve pieces of cannon: and such was the providence of the council, that at the commencement of hostilities, there was not above ten thousand rupees (1,250l.) in the treasury at Patna. Major Adams could not rely on the natives for assistance, as Cossim had destroyed all the partizans of the English, excited jealousies against them, and rendered them generally odious.

Commencement of military operations.

NOTWITHSTANDING these disadvantages, and the smallness of his force, Adams commenced an active and vigorous campaign. By two skirmishes he cleared the country, crossed the Cossimbuzar river, and attacked the enemy, amounting to ten thousand, who were drawn up in a strong position at Ballasara: they bore his cannonade for some time with unusual firmness, but were at length compelled to retreat with precipitation; in this action was slain Mahommed Tuckey Khan, commander of the detachment which slaughtered Mr. Amyatt and his companions.

Successful enterprizes of major Adams.
11th and 14th July.
29th July.

ADAMS proceeding towards Moorshedabad, again encountered the enemy, well posted in an intrenchment fifteen feet deep, and defended by a numerous artillery. Unable to carry this formidable position by storm, he made a

^h Amounting to about six hundred and fifty Europeans, and one thousand or twelve hundred natives.

CHAP.

IX.

1763.
23d July.

judicious feint, forced the enemy's strong hold, put them to flight, entered Moorshedabad, and again proclaimed Jaffier subahdar of Bengal.

At Moorshedabad he only waited a short time to refresh his troops, and renewed his pursuit of the enemy, penetrating into the heart of the province, and pervading the utmost recesses of Bengal, across the numerous and wide branches of the Ganges, through marshes and forests. Mir Cossim, unwilling to risque his dominion and life on the event of a single battle, did not lead his troops in person, but made a judicious disposition of them to weary his enemy by delay.

2d Aug.
Battle of
Nuncas
Nullas.

At Nuncas Nullas, the English again encountered the enemy, consisting of twenty thousand horse and eight thousand foot; here, for the first time, they experienced the effects of Cossim's new system of tactics. The troops were posted with great judgment, divided into regular brigades, had a good train of artillery, were clothed and accoutred upon the English model, and displayed an order and spirit which bore some analogy to that of the Europeans. But the English army, animated with resentment and flushed with success, surmounted every obstacle, drove the enemy off the field, made themselves masters of their whole train of artillery, and took a hundred and fifty boats laden with grain and stores.

Siege and
capture of
Auda Nulla.

DISCOURAGED by this defeat, the nabob's troops did not again venture to face the English in the field, but relied on their fortifications, as the sole means of defence; but neither numbers nor fortifications availed. Adams next attacked them at Auda Nulla: a post strong by nature and art, protected in front by a swamp; on one side by mountains, and on the other

other by the Ganges. The Indians had thrown up a great work on which they mounted a hundred pieces of cannon, and it was defended in front by a ditch fifty-four feet wide, and full of water in every part except towards the mountains. The breadth of dry ground did not exceed two hundred yards, and lay between the swamp and the river. The British commander at first besieged this fortification in form, but wearied with an inaction of fourteen days, projected an attack on the side of the mountains which was deemed sufficiently secure. This bold and masterly movement was judiciously executed by major Irwin; the intrenchments were carried, a general rout ensued, and as many perished in the river as by the sword.

CHAP.

XI.

1763.

21st Aug.
to 4th Sept.

THE enemy now abandoned all the country; Adams carried his victorious arms to Monghir, and after a siege of nine days, compelled the garrison, consisting of two thousand, to surrender. To complete the conquest of Bengal, the reduction of Patna alone remained; a detachment was sent from Monghir, under captain Wedderburne, with orders to blockade the place, and to inform the English prisoners of his approach. The military part of his instructions was performed; but the cruelty of Cossim frustrated the intended communication to the prisoners. Enraged and desperate at the progress of the British arms, the tyrant executed a horrible act of unavailing barbarity. He commanded one Somers¹ to

Capture of
Monghir.
11th Oct.

Massacre
of the Eng-
lish at Pa-
na.

¹ Somers, otherwise Sumroo, otherwise Shimro, was a German, and a general officer in the nabob's service; he had been a lieutenant in the French army, from which he deserted to the British, and from them to Cossim Ali Khan: he undertook this horrible butchery when no man in the nabob's army would engage in it but himself.

murder

CHAP.
XI.
1763.

murder Mr. Ellis, the head of the factory, and about two hundred English prisoners captured with him. The Indian soldiers required that the prisoners should be supplied with arms for their own defence; but were compelled by blows to fulfil the injunctions of Cossim. So unrelenting were these orders, that even an infant child of Mr. Ellis^k was sacrificed, and the only Englishman who escaped from Patna was a physician named Fullarton, who a few days before received a pardon from the nabob. Nor was the tyrant content with this butchery: he put to death upwards of thirty of his own subjects whom he suspected of favouring the English, and left their bodies to be devoured by the wild beasts and birds of prey; a peculiar ignominy among the Gentoos: one of these victims was the unfortunate Ramnarain.

Patna
taken.

Cossim, considering Patna as a last resource, evinced a proportionate energy in the defence. His troops exhibited unusual boldness and discipline, and made a resolute rally, in which they were so fortunate as to blow up a principal magazine. But Patna not being regularly fortified, the batteries soon destroyed the works, silenced the cannon, and made a practicable breach, and after a siege of eight days the city was taken by storm. Thus in less than four months the whole province of Bengal was subdued by major Adams; he was the first European who achieved that important conquest.

6th Nov.

Total conquest of
Bengal.

Flight of
Cossim.

DEPRIVED of his last fortress, the nabob, accompanied by the murderer Somers, crossed the Ganges with all his treasure into the pro-

^k Messrs. Ellis, Hay, Lushington, and six other gentlemen were cut to pieces and thrown into a well, which was afterwards filled up. The other persons murdered were thrown into another well.

vince of Oude, where he received an afylum from Sujah ul Dowlah, vizier of Shah Allum, the great mogul, but was not permitted to introduce his army.

CHAP.
XI.
1763.

CHAPTER THE TWELFTH:

1764 — 1766.

Affairs of India continued.—Disputes at the India house.—Lord Clive appointed chief governor.—Cossim received and protected by Sujah ul Dowlah nabob of Oude—who makes hostile preparations against the English.—Death of major Adams.—Mutinous state of the army.—Battle of Buxar.—Shah Allum escapes to the English camp, and enters into a treaty.—Sujah ul Dowlah solicits peace—which is refused.—Surrender of Chander Geer.—Allahabad, the capital of Oude, taken.—Death of Mir Jassier.—The council declare Najim ul Dowlah his successor.—Arrival of lord Clive.—Final overthrow of Sujah ul Dowlah.—He surrenders himself to the English.—An advantageous peace concluded.—Efforts of lord Clive to restore order and economy.—Mutiny of the military suppressed by lord Clive.—Prosperity of the company.—The dividends augmented.

CHAP.
XII.

1764.
Disputes at
the India
house.

THE rapid vicissitudes of the company's affairs, excited a violent sensation among the proprietors of stock in London, and the India house was divided into two zealous and rancorous parties. The deposition of Mir Cossim gave rise to many animadversions, and the subsequent transactions, which at one period brought the affairs of the company to the verge of ruin, occasioned spirited debates and vehement altercations. A detail of the proceedings would at this distance of time
afford

afford neither pleasure nor instruction; and the eloquence displayed both at the India house, and through the medium of the press, only reminds us of the pertinacity with which the adherents of Clive and Sullivan supported their respective opinions, but inspires no curiosity to examine the arguments which were adduced by either.

For some time the interests were almost equally balanced; Mr. Sullivan was continued chairman of the court of Directors, and every effort to give an ascendancy to lord Clive's party was unsuccessful. At length, his adherents, after a long and anxious contest, acquired a superiority; the perilous situation of India pointed him out as the only person capable of retrieving the affairs of the company; he was nominated governor general, and commander of the forces at Bengal, and, at the request of the proprietors, took his instantaneous departure for Calcutta, after receiving the order of the Bath. Mr. Sumner and Mr. Sykes were at the same time appointed counsellors at the presidency, the former to succeed to the government. Lord Clive, Mr. Sumner, general Carnac, Mr. Verelst, and Mr. Sykes were also appointed a select committee, with special powers.

HOWEVER irritated and indignant against Cossim Ali Khan, the English respected the territories of a neutral power, and therefore, when he had effected his escape, rigidly abstained from pursuing him, and encamped during four months on their own side of the river. Sujah ul Dowlah, the nabob of Oude, at first displayed great moderation and prudence, in not commencing hostilities in favour of the refugee tyrant of Bengal; but the cause of a native prince, expelled from his dominions by Europeans,

CHAP.
XII.
1764.

Lord Clive sent to India as governor general.

21 May
1764.

Cossim received and protected by the nabob of Oude:

CHAP.

XII.

1764.

Who
makes hos-
tile prepar-
ations
against the
English.

June.

Europeans, without any complaint from his own subjects, excited sympathy, and notwithstanding the remonstrances of the council at Calcutta, on the impropriety of affording protection to Cossim while he professed to be on terms of friendship with them, the nabob of Oude not only persevered in sheltering him from pursuit, but soon began to collect a formidable army. He answered the remonstrances of the council by recriminatory manifestoes, terminating in extravagant threats, and even endeavoured, by misrepresentations, to influence Mir Jaffier to renounce the English alliance, and throw himself on the protection of Shah Allum, who then resided with Sujah ul Dowlah. Cossim's troops, though they could not obtain leave to enter the province of Oude, till annoyed the company's forces, and the English commander openly professed an intention of carrying his arms into the dominions of Sujah ul Dowlah. Alarmed at this information, and anxious to retract his hostile professions with the least possible injury to his pride, the prince indirectly made conciliatory overtures, and applied to the English government for terms of peace. He rejected, however, most explicitly, the proposition of yielding up Cossim and Somers, which was made to him as the essential basis of a treaty. Soon afterwards some of Cossim's troops having surprised a party of English, brought their heads in triumph to Shah Allum; the real disposition of Sujah ul Dowlah then became apparent, and by his assistance Mir Cossim was enabled to send into the field an army of fifty thousand men, with a proportionate train of artillery.

THIS

THIS hostile movement was probably accelerated by the death of major Adams, whose name alone was sufficient to excite terror. But the judicious choice of a successor in major Hector Monro, afforded the enemy no reason to triumph. His force was only nine thousand men, of whom not more than twelve hundred were Europeans, and this small army was in such a state of insubordination and mutiny, that he was compelled to punish the ringleaders to the utmost extent of military severity, by sentencing twenty-four of them to be blown away from the mouth of cannon.*

CHAP.
XII.
1764.
Death of
major
Adams.

Mutinous
state of the
army.

ACTUATED

* Sir Hector's own account of this transaction, given in evidence before the committee of the house of commons, is subjoined at length; it displays the dreadful dilemma to which he was reduced, and the vigour and resolution with which he extricated himself, and saved the company. "I found the army" he says, "Europeans as well as seapoys, mutinous, deserting to the enemy, threatening to carry off their officers to the enemy, demanding an augmentation of pay, demanding large sums of money, which they said had been promised them by the nabob, and disobedient to all order; four hundred of the Europeans had gone off in a body, and joined the enemy some time before I joined the army. This being the situation the army was in, I fully determined to endeavour to conquer that mutinous disposition in them, before I would attempt to conquer the enemy.—I accordingly went with a detachment of the king's and company's Europeans from Patna, with four field pieces of artillery, to Chippera, one of the cantonments; I think the very day, or the day after I arrived, a whole battalion of seapoys, with their arms and accoutrements, went off to join the enemy; I immediately detached about 100 Europeans, and a battalion of seapoys, whose officers told me they thought they could depend upon them not to desert, with two field pieces, to endeavour to come up with the deserters, and bring them back to me; the detachment came up with them in the night time, found them asleep, took them prisoners, and carried them back to Chippera. The officer who commanded the detachment sent me an express, acquainting me with the hour he would arrive at Chippera with the prisoners. I was ready to receive them with the troops under arms; upon their arrival at Chippera, I immediately ordered their officers to pick me out fifty of the men of the worst characters, and who they thought might have enticed the battalion to desert to the enemy; they did pick out fifty; I desired them to pick me out twenty-four men of those fifty of the worst characters: I immediately ordered a field court martial to be held by their own black officers, and after representing to the officers the heinous crime the battalion

" had

CHAP.

XII.

1764.
Battle of
Buxar.

22d Oct.

ACTUATED by the same spirit which distinguished his predecessor, Monro made an active and vigorous campaign. He first encountered the Indian army in an advantageous encampment at Buxar, on the river Camnassary, above an hundred miles above Patna. They were protected by a morass lined with cannon, and a wood sheltered them on the only side which appeared assailable. Near this strong post Monro was attacked by the enemy, who were defeated with the loss of four thousand killed; a hundred and thirty-three pieces of cannon, a great quantity of military stores, and all their tents ready pitched; while in Monro's little army, which consisted but of seven thousand and seventy-two men, of whom eight hundred and fifty-seven were Europeans,

“ had been guilty of, desired they would immediately bring me their
 “ sentence; they found them guilty of mutiny and desertion, sen-
 “ tenced them to suffer death, and left the manner to me; I ordered
 “ immediately four of the twenty-four to be tied to the guns, and
 “ the artillery officers to prepare to blow them away: there was a
 “ remarkable circumstance; four grenadiers represented that as they
 “ always had the post of honour, they thought they were intitled to be
 “ first blown away; the four battalion men were untied from the
 “ guns, and the four grenadiers tied and blown away, upon which
 “ the European officers of the battalions of seapoys, who were then
 “ in the field, came and told me, that the seapoys would not suffer
 “ any more of the men to be blown away. I ordered the artillery
 “ officers to load the four field pieces with grape shot, and drew up
 “ the Europeans with the guns in their intervals; desired the officers
 “ to return at the heads of their battalions; ordered them immedi-
 “ ately to ground their arms, and if one of them attempted to move,
 “ I would give orders to fire upon them, and treat them the same as
 “ if they were Sarajah Dowlah's army. They did ground their
 “ arms, and did not attempt to move, upon which I ordered six-
 “ teen more of the twenty-four to be tied to the guns by force, and
 “ blown away the same as the first, which was done: I immediately
 “ ordered the other four to be carried to a cantonment, where there
 “ had been a desertion of the seapoys some time before, with positive
 “ orders to the commanding officer at that cantonment to blow them
 “ away in the same manner at the guns, which was accordingly
 “ done, and which put an end to the mutiny and desertion.” See
 also a letter from captain William Jennings, dated 12th February
 1764, Reports, &c. vol. iii. p. 364.

no more than eight hundred and seventy-four were returned as killed, wounded, and missing.

CHAP.
XII.
1764.

THE mogul, who was detained by Sujah ul Dowlah, in an honourable captivity, escaped from his camp the night preceding this battle. He now congratulated Monro on his victory, and requested the English, whom he considered as the only power in India capable of effecting that object, to assist in restoring him to the throne of Delhi; offering as a compensation for this benefit, the province of Oude, or any other gratification they might require. The council of Calcutta consented: Shah Allum was received in the English camp as emperor; a treaty was concluded between them, by which he assigned to the company Ghazepoor, and the zemindarry of rajah Bulwant Sing, belonging to the nizamaut of Sujah ul Dowlah, and they agreed to put him in possession of Allahabad, and the rest of the nabob's dominions.

Shah Allum escapes to the English camp.

29th Dec.

MONRO now proceeded to attack the fort of Chander-Geer, situate on the Ganges, supposed to contain all the treasures of Cossim, and the only remaining position on that side the river, retained by the enemy. This place, situated on a high hill, was impregnable by assault, and needed neither skill nor ammunition for its defence; the access was steep and narrow, and the besieged could with the stones and rubbish of their own fortifications repel the efforts of valour, and deride the machinations of art. Two successive nights Monro led his gallant followers to the attack of this fortress, and was twice repulsed; the Indians, taught by experience, no longer abandoned themselves to negligent slumber, and the major reluctantly

Failure of Monro at Chander-Geer.

CHAP. abandoning the enterprize, formed his camp
XII. under the walls of Benares.

1764.
Sujah ul
Dowlah so-
licits peace.

HERE Beney Bahadre, the minister of Sujah ul Dowlah, waited on Monro with overtures of peace, but Monro inflexibly refused to listen to any terms, unless the surrender of Cossim and Somers was first granted. The subahdar, with an inflexibility equally honourable, refused to betray those whom he had engaged to protect; every method was ineffectually tried to effect an accommodation; bribes which might have awakened cupidity in the most stoical mind, were refused.^b Sujah ul Dowlah yielded so far as to engage that he would cause Somers to be assassinated, but this expedient being also rejected, the treaty was broken off.

Harasses
the British
troops.

SUJAH UL DOWLAH was not instigated by despair to solicit peace; he was still at the head of a formidable army; yet though elated by Monro's ill success at Chander-Geer, he did not attack the British camp, but sent flying parties of horse to harass the out posts by repeated skirmishes, keeping his main body with the artillery at the distance of fifteen miles. This conduct reduced the British commander to a critical dilemma; he could not safely remain before Benares, nor did he deem it prudent to quit his position, though he was daily

^b The offers were twenty-five lack of rupees (312,500 l.) to defray the expences of the war; the like sum to the army; and eight lack to Monro himself, which with his share of the twenty-five lack would have made about twelve lack, or (150,000 l.) for himself. In resisting this splendid temptation Monro displayed in impressive colours the gallantry and disinterestedness of the military character. He said, "If the nabob would give me all the lacks in his treasury, I would make no peace with him, until he had delivered up those murdering rascals, for I never could think that my receiving eleven or twelve lack of rupees, was a sufficient atonement for the blood of those unfortunate gentlemen who were murdered at Patna, nor a sufficient atonement to the weeping parents, friends, and relations of those unfortunate gentlemen."

more and more straightened by the enterprizes of the enemy.

CHAP.
XII.

1764.

WHILE affairs were in this situation Monro was recalled in consequence of the arrangements made by lord Clive before his departure from England. The command devolved, *ad interim*, on major Sir Robert Fletcher. The honourable zeal of this brave officer to distinguish the brief period of his authority by brilliant and useful exertions, fortunately terminated the difficulty in which Monro had found himself involved. In opposition to the opinion of his principal officers, he left the camp before Benares at midnight, and advanced towards the enemy, leaving a party sufficiently strong to blockade the city during his absence. Three days were employed in reaching the nabob's camp, although but fifteen miles distant; twice they were drawn up to receive him, and on his approach retreated in good order, but the third time fled with precipitation. Being thus delivered from the immediate presence of the enemy, the army was enabled to extend its position, and relieved from the want of forage and provisions.

Monro recalled.
6th Jan.
1765.
Succeeded by Sir Robert Fletcher.

14th Jan.

Who puts the enemy to flight.

FLETCHER, still anxious to signalize himself, resolved to attack the fortrefs from which Monro had been repulsed; and the garrison, whose pay was six months in arrear, refusing to obey the orders of their governor, mutinously compelled him to surrender. This gave birth to a most affecting and pathetic scene. The governor came forth, and, in sight of his troops, delivered the key to Sir Robert Fletcher. Then shedding tears he complimented the victor, and apologized, not for his too resolute defence, but for his too speedy surrender. "I have endeavoured," he said, "to act like a

Surrender of Chander-Geer.

CHAP.
XII.
1765.

"soldier, but deserted by my prince, and left
"with a mutinous garrison, what could I do?
"God and you, (laying his hand on the Koran, and pointing to his soldiers) are witnesses that to the faith of the English I now
"trust my life and fortune."

Allahabad
taken.

PROFITING by his good success, Sir Robert soon made himself master of Allahabad, the enemy's capital, though defended by a strong wall, and capable of making a vigorous resistance. This conquest seemed utterly to ruin Sujah ul Dowlah's affairs, and to leave his dominions intirely at the mercy of the English.

14th Jan.
1765.
Death of
Mir Jaffier.

DURING these transactions, the death of Jaffier Ali Khan at Mooshedabad materially affected the state of Bengal. By the law of inheritance, both in Europe and Hindostan, the rights of Jaffier should have descended to his grandson, the offspring of his son Miran, who was about six years old; but Jaffier, by a testamentary paper, bequeathed the succession to his natural son,^c Najim ul Dowlah, then about twenty years of age, and whom he had for some time associated in the government with him; in his last moments he also gave to his appointed successor a letter of advice, enjoining him to continue the rajah Nundcomar, his own favourite, in the office of prime-minister, and to follow his instructions. Lord Clive was not yet arrived, and the council, apprized of the measures adopted in England to abridge their jurisdiction, employed the last moments of their

^c It appears, however, that these laws were frequently superseded throughout the mogul empire.

^d The fact of Najim ul Dowlah's being an illegitimate son is stated on the authority of a letter to the court of directors, dated the 30th of September 1765, signed by lord Clive, W. B. Sumner, J. Carnac, H. Verelst, and F. Sykes: it forms a material point in the consideration of subsequent events.

expiring authority, for purposes of avarice and ambition.^e Although the importance of the crisis demanded great consideration, and no inconvenience could arise from delay, yet the council acted with unwarrantable precipitation, and notwithstanding the debauched and profligate character of Najim ul Dowlah, and the just claims of the infant son of Miran, affected to sanction the will of Mir Jaffier, without even requiring the consent of the mogul. Thus they extorted large fees from the weakness and distress of the young nabob,^f while their conduct towards him was replete with harshness and insolence.^g Instead of Nundcomar they compelled him to confer the naibship or deputy government of the province on Mahommed Rhezi Khan, who was considered both by Najim and his father as their implacable enemy.^h Jealous of Nundcomar's influence, they compelled Najim ul Dowlah to send him to Calcutta for trial as a traitor, resisting the threats, prayers and importunities of the youth they had exalted; and in this instance even the temptation of a large bribe which was offered both by Najim and Nundcomar. Most probably the rajah had excited his master to at-

CHAP.
XII.
1765.

The council declare
Najim ul
Dowlah
his suc-
cessor.

^e The company highly disapproved their conduct; see letter of the 19th of February 1766. Reports, &c. vol. iii. p. 455.

^f It appears that on this occasion 139,000 l. sterling were distributed among the council, besides other sums supposed to have been received, but of which no evidence could be obtained.

^g See Najim ul Dowlah's letter to the select committee at Calcutta, Reports, &c. vol. iii. 409. It is however to be observed, that after lord Clive's arrival, the select committee, on mature investigation, declared many of the charges in this letter void of foundation, *idem*. p. 418.

^h In order to obtain this elevation, and in compensation to those who assisted him, Mahommed Rhezi Khan was said to have distributed in gratifications twenty lacks of rupees. See on this subject, the reports of committees, vol. iii. p. 411, 412, 413.

CHAP. tempt his emancipation from the oppressive
XII. authority of the council, but the charge of
1765. treason appearing destitute of foundation, he
was afterwards discharged.¹

3d May
1765.
Arrival
and regula-
tions of
lord Clive.
7th.

ON his arrival at Calcutta, lord Clive established the select committee, and formed regulations and covenants calculated to restrain the enormous and flagitious peculations of the company's officers.² An order was also issued for securing and bringing to Calcutta, all Europeans who had no claim from indentures to the protection of the company.

Military
proceed-
ings.

GENERAL CARNAC, who was previously dispatched to take the command of the army, found Sujah ul Dowlah still meditating an incursion into Bengal; that active and spirited prince, although often defeated in the field, expelled from his best fortresses, deprived of his vizierate, and abandoned by the mogul, was not divested of his fortitude, or destitute of resource. He made an alliance with Mulbar, a chief of the Mahrattas, the most warlike tribe in India, and still indulged a hope of retrieving his almost desperate fortunes. General Carnac, apprized of this intention, by a rapid march, effected a junction with Sir Robert Fletcher in the district of Korah, attacked Sujah ul Dow-

¹ The character of Nundcomar was open to many reproaches; he was supposed to have embezzled a great share of the revenues of Mir Jaffier; he was adverse to the English; and the army, by his means, suffered many inconveniences and privations. See Reports, &c. vol. iii. p. 305. 368.

² A letter from the court of directors, dated the 1st of June 1764, requiring the execution of these covenants, was received in Bengal on the 24th of January 1765, but had not, on lord Clive's arrival, been executed by any one of the company's servants; and it does not appear that Mr. Spencer, who was then governor, ever brought the matter under the consideration of the council board, or gave any notice to the company's servants that they were required to execute such covenants. See Reports of committees to the house of commons, vol. iii. p. 315.

lah at Calpy before he could unite his forces with the Mahrattas, and routed his army with great slaughter. The Mahrattas still threatening an irruption into the nabob's province, Carnac drove them across the Jumnah, and compelled them to seek refuge in the hills.

IN this emergency, Sujah ul Dowlah displayed genuine greatness of mind: still preserving his word inviolate, he permitted Cossim and Somers to escape,¹ and after explaining his design to the general,^m came unattended to the British camp, and surrendered himself a prisoner, to accept peace on such terms as should result from the justice and courtesy of the victor. Carnac received him with the distinction due to a brave and distressed prince.

LORD CLIVE deemed this crisis sufficiently important to attend in person at the scene of negotiation. An agreement had been previously made with the council, that Shah Allum should be put in possession of the province of Oude, but this project was fraught with great and inevitable mischief. Lord Clive was expressly instructed by the select committee to exert his endeavours in conciliating the affections of the native powers, in removing their jealousy, by convincing them that the English had no views of conquest, but only aimed at security in carrying on a free trade, equally beneficial to the natives and to the company. He was also directed not to seek an extension of territorial possession, and recommended to reinstate Sujah ul Dowlah in the full enjoyment of all his dominions, without retaining any of his

CHAP.
XII.

3d May
1765.
Defeat of
Sujah ul
Dowlah.
22d May.
And of the
Mahrattas.
Sujah ul
Dowlah
surrenders
himself.

Treaty of
peace ne-
gotiated.

¹ The nabob found a refuge among the Rohillas, the German among the Jats.

^m See his letter, the answer, and proceedings thereon. Reports, &c. vol. iii. p. 416.

CHAP.

XII.

1765.

Terms adjusted.

strong holds, or insisting on terms which might be irksome to his high spirit, and imply a suspicion of his sincerity.

LORD CLIVE conducted the negotiation in conformity to these instructions, and to his own judgment, which was strongly repugnant to the system of incroachment on the province of Oude. Convinced that any establishment there, would only augment the number of factories, without increasing trade; he omitted the word factories in the treaty,^a but did not covenant against establishing them in so positive a manner as to preclude the company at any future period from adopting the measure. The greater part of the nabob's dominions was therefore restored, but Shah Allum obtained the country of Korah, and part of the province of Allahabad, with a grant of twenty-six lacks of rupees (325,000 l.) yearly, payable out of the revenues of Bengal. In return for these cessions, the mogul granted to the company the reversion in perpetuity of lord Clive's Jaghire, or pension, which amounted to nearly 30,000 l. a year, and the dewanny^o of Bengal, Bahar, and Orissa; and Sujah ul Dowlah covenanted to pay to the company fifty lacks (615,000 l.) to defray the expences of the war. The Dewanny was declared subject to no charges, except the fifty lacks to the mogul, and fifty-three lacks (662,500 l.) per annum to Najim ul Dowlah for the support of his dignity.

^a Executed the 16th of August 1765. See the treaty, and the several firmauns confirming the various articles, in the Reports, &c. vol. iii. p. 446, *et seq.*

^o The word dewanny is not easily rendered into English. The office of dewanny was anciently understood to be the collecting of all the revenues, and after the defraying the expences of the army, and allowing a sufficient fund for the support of the government in the province, to remit the residue to Delhi.

THIS arrangement was highly acceptable to the native princes; the nabob of Oude received terms more advantageous than his most sanguine hopes could presage; the mogul obtained the means of marching an army to Delhi in support of his claim to the throne; and the nabob of Bengal, considering the perplexities attending his title, and the disgraceful state in which he had been placed, was satisfied with the possession of an abundant revenue, and an exemption from controul.

To the company the treaty was pregnant with unlimited advantages. It tended to extinguish the jealousy of the native powers, to insure the gratitude of three princes; and should they, contrary to expectation, endeavour to disturb the possession of the English, deprived them, by the loss of the dewanny, of the strength and riches requisite to make a formidable attempt, either by force or corruption. It promised to terminate revolutions, as the nabob could not gratify the expectations of the venal and mercenary, and no longer possessed a fund for secret services, donations and gratuities. The revenue thus obtained to the company was stated by lord Clive at near one million seven hundred thousand pounds per annum, and his calculation was not exaggerated.

THUS happily and gloriously terminated a contest, in the course of which the existence of the British name in India was more than once threatened with annihilation. The motive for hostilities on our part was generally mere necessity: the deposition of Mir Jaffier has been exposed to the greatest share of censure: attempts have been made to acquit him of the murders

CHAP.

XII.

1765.

Advantages to all parties.

CHAP.
XII.
1765.

murders imputed to him,^p but the arguments in his favour are not supported by adequate proof.^q But even should his acquittal on this point be well founded, his incapacity and treachery had a direct tendency to ruin himself and the company, and justified the resolutions adopted by the council. As a proof it is only necessary to observe that the war against the Shah Zaddah, was by him and his son protracted to a ruinous length, which under his more vigorous successor was terminated in a single campaign, and but for the indolence or treachery of Miran, acting under the instructions of his father and his counsellors, it might have been terminated long before.^r

Efforts of
lord Clive
to restore
order and
economy.

HAVING thus fulfilled one important object of his mission, lord Clive assiduously applied himself to restore subordination and economy; he prevented those rapid promotions to offices

^p See the dispatch from the select committee to the directors, dated 30th September 1765.

^q See Vansittart's letter to the proprietors of East India stock. 1767. p. 39.

^r Whatever reasons may be advanced in vindication of the policy of the measure, the council can claim no praise for disinterestedness: they *avowedly* received 200,269 l. in presents.

It is a pleasure, and some relief from the disgust occasioned by such venality, of which repeated instances occur, to record the exemption of one meritorious individual from the general contagion. "Com-mon justice to the principles and conduct of general Carnac," lord Clive observes, "obliges me further to add, that I found him "the only officer of rank who had resisted the temptations to which, "by his station, he was constantly subject, of acquiring an immense "fortune; and I question much, whether he is not the only man "who has, of late years, been honoured with the command of your "forces, without acquiring a very large independency. The letter "from the great mogul to the governor and council, requesting the "permission for him to accept of two lack, which his majesty is "desirous of bestowing on him as a reward for his disinterested "services, will corroborate what I have said in his favour; and as "this affair, agreeable to the tenor of the covenants, is referred to "the court of directors, I make no doubt, they will readily embrace "the opportunity of shewing their regard to such distinguished "merit, by consenting to his acceptance of his majesty's bounty."

of great trust, by which many young men had suddenly acquired immense riches, and materially prejudiced the interest and reputation of the company; he exposed to due reprehension those who by their shameless speculations had obtained unbounded wealth, while the affairs of the company were considered as irreparably deranged: his exertions against those employed in civil capacities gave rise to unceasing enmity and opposition, which pursued him during the remainder of his days, and his efforts to reduce the military to a state of subordination, and to deprive them of superabundant advantages, produced a dangerous mutiny, which required all his courage and conduct to suppress.

CHAP.

XII.

1765.

THE seditious disposition of the army has been already mentioned, and it was often severely felt during the war. The military in Bengal enjoyed an additional allowance for subsistence, called a double batta, which was not granted in any other part of India: it was obtained at the express desire of Clive, after the battle of Plassey, but as the motive of necessity had long ceased, the court of directors recommended its discontinuance: the council at Calcutta made some efforts for that purpose, which, from the feebleness of their authority, were almost ineffectual; but the war being terminated, a sufficient allowance provided for the widows and children of officers, and the select committee having admitted them to a participation in the salt trade, Clive considered this a proper time to execute his instructions;

Mutiny of
the mili-
tary.

* See his admirable letter to the court of directors. Reports of committee to the house of commons, vol. iii. p. 391.

CHAP. and issued orders for reducing the double
XII. batta.

May 1766.

A SPIRIT of resistance immediately manifested itself; committees of correspondence were established among the officers, and a general conspiracy formed, to compel a submission to their demands by resigning all their commissions. They bound themselves to secrecy by solemn oaths, executed bonds with considerable penalties to secure fidelity to their engagements; and raised a subscription of eighteen thousand pounds to provide for those who might be unable to obtain the restitution of their commissions by adhering to the association.

It is asserted that this confederacy, strengthened by the accession of numbers, meditated more than a redress of the immediate source of complaint. They determined to procure the abolition of the new covenants restraining the company's servants from receiving presents from the princes of the country; the annihilation of the select committee, and an engagement from government, with a standing order of the board, that no officer in Bengal should be superseded by others appointed in England, or nominated from either of the company's settlements in India.

Suppressed
by lord
Clive.

THIS dangerous conspiracy was kept so profoundly secret, that lord Clive, who was at Moorshedabad, was only apprized of it a few days before the intended resignation, by a letter from Sir Robert Fletcher. Accompanied by two members of the select committee, he instantly repaired to Monghir, where part of the European soldiers had taken arms. Aided by the persuasion of some superior officers, and the attachment of a black regiment, he brought them

them back to their duty, and proceeded to conciliate the army by a distribution of honorary rewards to the non-commissioned officers, by judicious commendations of the black commandants, and by an advance of pay for two months. These measures were attended with signal success; the officers who lately presumed to controul the government, were reduced to the necessity of departing for Calcutta; after seeing themselves deserted by the privates, and many of their stations occupied by subalterns to whom lord Clive gave commissions. The like event attended the same exertions in the two other brigades who had also joined in the conspiracy.

THE mutineers, now despondent and submissive, implored the restitution of their commissions; some of the least culpable were indulged in their request, and others put under arrest, preparatory to trial by a court martial. This court, by a lenient construction of the act for punishing mutiny and desertion in India, would not venture to pronounce capital sentences, but inflicted punishments of an ignominious nature. The governor and council, however, compelled the culprits to return to Europe, and the houses of some of the most intractable were surrounded by a military guard, till the ships were ready for their departure.[†]

THE intelligence of this mutiny produced no great sensation in England, because the account of its rise was accompanied with that of its suppression; the company was now considered exempt from danger, and standing on a

Satisfaction of the
Directors.

[†] See Strachey's Narrative of the mutiny of the officers of the army in Bengal. Verelst's View of the English Government in Bengal, p. 57.

CHAP.
XII.

1766.

Dividends
augment-
ed.

basis of unrivalled affluence and commercial importance.

IN such circumstances, the proprietors of India stock became desirous to partake in the effects of that prosperity which was produced by so imminent a risque of their property. This advantage they were intitled to expect, as in the course of the war their dividends were reduced from eight to six per cent. and still remained at that point. The directors for a time evaded the proposition by a finesse, but a motion was afterwards carried for augmenting the dividend to ten per cent. At the same time a message in writing was received from the first lord of the treasury, importing that the affairs of the East India company had been mentioned in parliament, in the last session, and would probably be again taken into consideration, therefore with a view to enable the company to prepare their papers for the occasion, they were apprized of the time when parliament would meet.

18th June.

September.

CHAPTER THE THIRTEENTH:

1766.—1767.—1768.

Transactions in America. — Effect of repealing the stamp act — and of the declaratory act. — Contumacy of the colonists. — Disasters in the West Indies. — Scarcity of grain in England. — Embargo laid by order of the privy council. — Meeting of parliament. — Indemnity bill — strenuously and ably argued. — Lord Chatham's efforts to gain adherents. — Partial change of ministry. — Embarrassment of lord Chatham — his ill health. — Want of union in the cabinet. — Affairs of the East India company discussed in parliament. — They declare an increased dividend. — Regulating and restraining bills passed. — Suspension of the legislature of New York. — New duties on exports to America. — Attempts to form ministerial arrangements. — Projects and death of Charles Townshend, chancellor of the exchequer — his character. — Lord North chancellor of the exchequer — his character. — Grafton administration. — Meeting of parliament. — Restriction of dividends on East India stock. — Nullum Tempus bill rejected. — Occasion of the motion. — Prorogation and dissolution of parliament.

THE repeal of the stamp act diffused great satisfaction through all parts of America; but the rejoicings were calculated to inspire uneasiness and alarm in a prudent administration. The repeal, whether conceded on the ground of right or of expediency, was a triumph

CHAP.
XIII.

1766.
Effect of
repealing
the stamp
act.

CHAP.
XIII.
1766.

umph to the party in opposition to the British government, and during the demonstrations of joy, the seeds of future resistance were carefully nourished. The courts of justice resumed their functions, and the provincial assemblies their sittings; but there were not wanting many, who by pamphlets, and news-paper publications, prevented the return of cordial affection, and cautioned the colonists against a too implicit reliance on the moderation of the mother-country.

Of the
declaratory
act.

THE declaratory act, which, in the expectation of the framers, was to stifle all differences by the establishment of an undeniable principle, was, on the contrary, exhibited to the Americans, as evidence, that the repeal of the stamp act had been rather extorted than voluntarily conceded, and that the rulers of the British nation still cherished the hopes of deriving, on some more favourable occasion, a revenue from the taxation of America. The people were therefore exhorted not to forego the means of establishing their own independence; they were counselled to encourage the breed of sheep for a supply of wool; to promote the culture of flax, hemp, and cotton, and the fabrication of such of the coarser British manufactures as would enable them on a future contingency to support associations against importation.^a These measures obviously resulted from the declaratory act, and shewed the fallacy of Franklin's declaration at the bar of the house of commons, that the assertion of right would never give the Americans any concern, if not attempted to be carried into practice.^b

^a Stedman's History of the American War, vol. i. p. 48.

^b See his examination, Debrett's Debates, vol. iv. p. 331.

THANKS and addressees to the king were cheerfully voted by all the assemblies; but they studiously avoided any expression which could be construed to imply an obligation to parliament; and they soon evinced a disposition not to carry their compliances to any extent which should sanction an opinion of continued obedience. The secretary of state, in his letter to the governors, recommended that a requisition should be made to the colonial assemblies, for compensations to those who had been injured by the late riots. The governor's message was reluctantly, and somewhat contumaciously, taken into consideration by the assembly of Massachusetts Bay: they did not act upon it until the inhabitants sent express instructions to their representatives on the subject, and until they received information that the lords of the treasury in England refused to pay the sums of money voted by parliament in 1763, unless the proposed compensation was made. At length, an act to this effect was passed; but to shew the spirit of the colony, it contained a clause of indemnity to the offenders in the riots, who were thus taught to consider themselves, equally with their victims, objects of the care and attention of their legislators.^c Rhode Island and New York were equally dilatory: Maryland alone with laudable eagerness voted a compensation, though there was only one sufferer in their province.

AN occasion soon presented itself for displaying the real disposition of the Americans.

^c Stedman, vol. i. p. 50. This conduct of the assembly of Massachusetts Bay affords another instance of the fallacy of Dr. Franklin's answers at the bar of the house of commons. He said the assemblies had no disposition to encourage the rioters; that they considered them liable to punishment, and would punish them themselves if they could. See Debrett's Debates, vol. iv. p. 337.

CHAP.
XIII.

1766.

Proceed-
ings in
Massa-
chusetts
Bay on the
compen-
sation act.

In other
provinces.

Unwilling-
ness of the
New York
assembly to
provide for
the mili-
tary.

CHAP.
XIII.
1766.

In the last session of parliament, an alteration was made in the American mutiny act, enjoining the colonists to supply the soldiers with salt, vinegar, and beer or cyder. The first attempt to obtain this moderate indulgence was made in New York: the governor applied to the assembly to provide quarters for the troops who were expected, and specified the additional articles required. The assembly were so reluctant in taking this message into consideration, that an address in answer was not voted till the soldiers arrived, and were put to some inconvenience for want of quarters; and the address was not satisfactory to the governor, because no notice was taken of the demand to supply the military with the necessities required by the act of parliament. Another message was therefore sent to the assembly, and after several messages and replies, they finally resolved not to comply with the amended mutiny act. They affected to consider the principle as not differing from the stamp law, by its tendency to impose a new burthen,^d and at length passed an act which, on their own authority, new modelled or repealed a regulation made by the parliament of Great Britain.^e

Conduct of
other provinces.

In some other provinces the act was no better received; and probably the zeal of the military, in support of government, occasioned this display of resentment in the assemblies. In Dutchess county, being called in to assist the civil power, they were fired on by the mob, and compelled, in their own defence, to wound some of the assailants.^f In New York, some soldiers

Aug. 1766.

^d Sredman, p. 57.

^e Andrews's History of the American War, vol. i. p. 78.

^f Almon's Collection of Papers, vol. i. p. 101.

attempting

attempting to cut down the tree of liberty, erected by the inhabitants as a token of triumph on the repeal of the stamp act, the populace resisted, and blood would have been shed, had not the moderate disposition of the commanding officer and magistrates effected an amicable adjustment.

CHAP.
XIII.
1766.

WHILE thus, in America, a momentary conciliation produced no beneficial effects, the West India islands, where the inhabitants sympathized with the American colonists in resisting the stamp act, were reduced to great distresses by the formidable devastations of a hurricane, which began at Martinique, and extended its ravages to several of the leeward islands.

Disasters
in the West
Indies.

13th Aug.

LORD CHATHAM'S ministry commenced under inauspicious circumstances. From an uninterrupted succession of rain, the harvest failed in all parts of England; the price of bread was considerably advanced; and as a similar scarcity prevailed on the continent, great alarms were entertained, lest by combination of monopolists, forestallers, and regraters, and by an unlimited exportation for profit, the country should suffer the miseries of famine. In consequence of these apprehensions, tumults were excited in many parts of the kingdom, which were not repressed without the aid of military.* A proclamation was issued against forestallers and regraters, but that measure not being deemed sufficiently strong, and the city of London representing to the throne that orders were received for the exportation of large quantities of wheat, while the company of bakers had applied to the city magistrates to prevent a diminution of the small stock

Scarcity of
grain in
England.

10th Sept.

23d Sept.

Embargo
laid.

* Special commissions were afterwards issued for the trial of the rioters, and some of them paid for their indiction with their lives, though many received conditional, and some free, pardons.

CHAP.
XIII.
1765.

of old corn left in the kingdom: the privy council prohibited the export, and laid an embargo on ships preparing to sail with cargoes of grain. Lord Chatham was prevented by illness from attending the council, but in writing, recommended the measure.^b

Meeting of
parliament.
11th Nov.

THE scarcity formed the principal topic of the king's speech, and was assigned as a reason for so early convening the parliament to deliberate on a matter so important, and particularly affecting the poor. "The urgency of the "the necessity," the king observed, "called "upon me, in the mean time, to exert my authority for the preservation of the public "safety, against a growing calamity, which "could not admit of delay. I have therefore, "by the advice of my privy council, laid an "embargo on wheat and wheat-flour going out "of the kingdom, until the advice of parliament could be taken." The king then recommended to make further provisions, if necessary, with respect to the dearth of corn, and mentioned, with regret, the spirit of insurrection displayed in many parts of the kingdom.

THE address was opposed in both houses, and amendments moved, importing an intention to bring in a bill for indemnifying those who had advised the embargo.

Indemnity
Bill.

THE amendments were rejected; but the ministry having introduced a bill of indemnity in favour of the officers who had acted under the orders of council, several animated debates ensued, in which their conduct was severely arraigned. The assumption of a prerogative to dispense with an existing law, under any circumstances, or for any motive, was decreed as

^b Life of lord Chatham, vol. ii. p. 39.

unconstitutional and dangerous, and tending directly to establish an unqualified and unlimited tyranny. Those who advised the measure were no less open to censure than the officers who carried it into execution; and therefore an amendment was moved, including the ministers in the operation of the bill.

CHAP.
XIII.
1766.

LORD CHATHAM alleged, in justification of the ministry, that the necessity of the state, to which every consideration of a mere legal nature must bend, required the measure. The act itself, he contended, was wise and necessary, and the prohibition a legal exercise of a legal prerogative. He supported his opinions by reading some passages from Locke on government. He maintained, that neither he nor his colleagues needed an indemnity; and declared it to be the right and duty of the crown to suspend the execution of a law, for the safety of the people.

Ministry
defended
by Lord
Chatham.

LORD CAMDEN, in supporting the same opinion, argued strongly in vindication of those, who, on an obvious necessity, had done an act which no existing law could be produced to justify. The necessity of a measure, he observed, renders it not only excusable, but legal: and consequently a judge, when the necessity is proved, may without hesitation declare that act legal, which would be clearly illegal where such necessity did not exist. The crown is the sole executive power, and is therefore intrusted by the constitution to take upon itself whatever the safety of the state may require, during the recess of parliament, which is at most but a forty days tyranny. He concluded by observing, that the power exercised on this occasion was so moderate and beneficial, that Junius Brutus would not have hesitated to intrust it, even to the discretion of a Nero.

By lord
Camden.

CHAP.

XIII.

Opposed
by lords
Mansfield,
Temple,
and Lyt-
tleton.

THESE arguments were combated by lords Mansfield, Temple, and Lyttleton. They denied that any suspending or dispensing power was or ought to be vested in the crown; on the contrary, during the recess of parliament, the king himself was as much subject to the law as any other individual, and could not alter or impede its course. The danger of such a prerogative had been frequently adverted to in parliament, and particularly in the bill of rights, the preamble of which expressly mentions the evils resulting to the kingdom from the practice adopted by James II, of assuming a power to dispense with, and suspend, the execution of laws without the consent of parliament. Lord Chatham was accused of perverting the genuine sense of Locke in his quotation; and the effect of the passage on which he founded his argument was forcibly contrasted with the use he had made of that author in the last session. "The last session of parliament," it was said, "set out with the wildest doctrines, extracted piece-meal from that same Mr. Locke, in favour of liberty; of liberty run mad with notions extravagant, ridiculous, exploded, and, thank God! by the whole legislature condemned. This session begins with doctrines again extracted also piece-meal by the same persons, from the same author, trumpeting forth a tone of tyranny, more hateful and more dangerous, because more extensive, than any promulgated in the worst reign of the worst of the Stuarts." That the act in question had for its object the good of the people, was denied to be a sufficient argument to prove no indemnity requisite. The wildest bigot in the cause of arbitrary power could never pretend that any prerogative could or ought to be exercised but for the good of the people, and

precedents

precedents were adduced to prove that such acts, unquestionably founded on that motive, had in former times been the objects of parliamentary indemnity. Lord Camden's expression of a forty days tyranny was treated with great severity "Forty days tyranny!" one of the speakers exclaimed, "my lords, tyranny" "is a harsh sound. I detest the very word, because I hate the thing. But are these words" "to come from a noble lord, whose glory it" "might, and ought to have been, to have risen" "by steps that liberty threw in his way, and to" "have been honoured as his country has honoured him, not for trampling her under foot," "but for holding up her head. I have used" "my best endeavours to answer the argument" "which is the foundation of the distinction to" "which the forty days alludes, by argument" "founded in principles; I will now give the" "noble lord one answer more, and it shall be" "*argumentum ad hominem*. That noble lord" "has, I believe, said on other occasions, and" "he said well, that the price of one hour's English liberty none could tell but an English" "jury; and juries, under the guidance of a certain noble lord, have estimated it very high," "in the case of the meanest of the subjects," "when oppressed only by the servants of the" "state. But forty days tyranny over the nation by the crown!—who can endure the" "thought? My lords, less than forty days tyranny, such as this country has felt in some" "times, would, I believe, bring your lordships" "together without a summons, from your sick" "beds, riding even upon post horses, in hot" "weather, faster than our great patriots themselves to get a place or a pension, or both;" "and, for ought I know, make the subject of" "your

CHAP.
XIII.
1766.

“your consultations that appeal to heaven
“which has been spoken of. Yet establish a
“dispensing power, and you cannot be sure of
“either liberty or law for forty minutes.”

ADVERTING to the defence which ministers offered for their conduct, it was said: “The
“noble and learned lord speaks of meritorious
“criminality as strange; and it would be so.
“But meritorious illegality is not so strange,
“or an action meritorious in itself, and happy
“in its effects, though against law. The merit
“consists in running the risk of the law, for
“the public good; as in the instance alluded
“to by the other noble and learned lord on the
“cross bench, of the Roman general who
“fought against orders, and was rewarded for
“saving his country. On the other hand, if
“an act is authorized by law, there can be no
“such risk, or consequently any other merit
“than that of doing one’s duty. I agree with
“the noble lord who holds the seals of secretary of state, that he would be a poor minister indeed, who would not run such a risk,
“when the safety of the state required. I will
“say, that without being a minister, as an inferior magistrate, or even as a private subject,
“I should not hesitate, upon good ground of
“public safety, to stop, if I could, any ship
“from sailing out of port, to the destruction of
“the state, although no embargo subsisted;
“and in this case, if ministers had held to the
“justification of the particular act upon the
“circumstances, they had done well. But they
“have justified the act, by maintaining a power
“which I cannot acknowledge. I blame not
“the crown, nor the advisers of the crown, for
“dispensing good, nor do I wish to hold out
“to the people a violation of the constitution;
“but

“ but I will blame ministers for asserting a pre-
 “ rogative in the crown, which, instead of dis-
 “ pensing good, would dispense much evil; and
 “ if they will hold out a power unconstitu-
 “ tional, and destructive of the vitals of the
 “ constitution, they must excuse others for
 “ holding up the barrier against such a power,
 “ and defending the constitution. I think pre-
 “ rogative is a power, and it is a duty also to
 “ protect the people; but I think a dispensing
 “ power is no part of the prerogative, and
 “ equally against the duty of the prerogative,
 “ and the safety and protection of the people:
 “ and I am astonished how a house of lords
 “ could have patience to sit and hear so much
 “ of it. The dispensing and suspending power,
 “ and the raising of money without consent of
 “ parliament, were declared to be precisely
 “ alike, and standing upon the very same
 “ ground; they were born twins; they lived
 “ together, and together were buried in the
 “ same grave at the revolution, past all power
 “ of resurrection. If a difference were made
 “ between raising money, and the suspending or
 “ dispensing power, the suspending and dispen-
 “ ing power must be considered as the most
 “ dangerous, as that which might do most
 “ universal mischief, and with the greatest
 “ speed, as it includes the whole. Rashly and
 “ wilfully to claim or exercise, as prerogative,
 “ a power clearly against law, is too great bold-
 “ ness for this country; and the suspending or
 “ dispensing power, that edged tool which has
 “ cut so deep, is the last that any man in his
 “ wits would handle in England: that rock
 “ which the English history has warned against
 “ with such awful beacons: an attempt that
 “ lost one prince his crown and his head; and
 “ that

CHAP.
XIII.
1766.

“that at length expelled their family out of
“this land of liberty to the regions of tyranny,
“as the only climate that suited their temper
“and genius: a power, the exercise of which
“stands branded, as the subversion of the con-
“stitution, in the front of that truly great
“charter of your liberties, the bill of rights.
“A minister who is not afraid of that power,
“is neither fit for the sovereign nor the sub-
“ject.”ⁱ

THESE just and forcible objections to the conduct of the ministry, must yield to the irresistible argument of public necessity; but on every constitutional principal, an act of indemnity was indispensibly requisite. The question was, on the whole, a question of abstract theory: the necessity of the embargo was universally admitted, and though the debates were violent, and the amendment rejected, no protest appears on the journals. The parliament, in fact, sanctioned the proceeding of ministry by an address to the king, requesting him to continue the embargo, and to extend it to several other species of grain.^k

Lord Chat-
ham's ef-
forts to
gain ad-
herents.

THE opposition to lord Chatham's ministry was not unexpected. The estrangement of lord Temple deprived him of many adherents, and a formidable coalition of parties was formed against him. Anxious to break this combina-

ⁱ No details are preserved of this debate. All that is known respecting the progress of the bill through the house of commons is, that in his eagerness to defend lord Chatham, alderman Beckford permitted himself to use an expression, asserting the king's dispensing power in terms too unqualified, that his words were taken down, and he was obliged to apologize. The account of the debate here given is taken from a pamphlet called, “a Speech against the Suspending and Dispensing Prerogative.” It was supposed to be penned by lord Mansfield, but was, in fact, written by a gentleman at the bar, under the direction of lord Temple, and with the assistance of lord Lyttleton.

^k See Debates and Journals.

tion,

tion, he made overtures to the duke of Bedford. In a conference at Bath, he stated the principal measures which he intended to pursue, to maintain the inviolate observance of the peace, to avoid continental connections and subsidies, and to observe a rigid economy. The duke said these were his own measures, and declared his resolution to support them, whether his friends were in or out of office. The topic of America was carefully avoided by both parties.

CHAP.

XIII.

1766.

September.

THIS interview being understood by the duke as well as the minister as merely preparatory to another, the Bedford party took little share in the early debates of the session: yet the opposition encountered by lord Chatham, formed a striking contrast to the constant approbation which awaited the measures of his last administration, and he felt this change with great sensibility. He found it necessary to gain new friends, and enfeeble his opponents; but his endeavours failed of success. The harsh manner in which he dismissed lord Edgcumbe from the appointment of treasurer of the household, with a view to gratify the duke of Newcastle by bestowing it on Sir John Shelly, the duke's near relation, disgusted many respectable members of administration. The duke of Portland, the earls of Bessborough and Scarborough, and lord Monson, withdrew their support, and Sir Charles Saunders, Sir William Meredith, and admiral Keppel, resigned their places at the board of admiralty.

24th Nov.
Partial
change of
ministry.

26th.

To counterbalance this defection, lord Chatham renewed his overtures to the duke of Bedford, and, as an introductory measure, offered the situation of first lord of the admiralty to lord Gower, who instantly repaired to Wootton

Chagrin of
the duke of
Bedford.

burn

CHAP.
XIII.
1766.

burn for the purpose of consulting the duke. During his absence lord Chatham made a different arrangement. The place of first lord of the admiralty was given to Sir Edward Hawke; the other vacant seats at the board were filled by Mr. Jenkinson and Sir Piercy Brett; and lord Hillsborough and lord Le Despencer were appointed joint postmasters. On his arrival in town, the duke of Bedford held a conference with the minister: he required places for several of his friends, but was mortified with the information that no offices were reserved, and even that which had been offered to lord Gower was disposed of.

Embarrassment of
lord Chat-
ham.

THIS whole transaction is involved in impenetrable mystery: the conduct of lord Chatham indicates embarrassment and precipitation. Although these appointments served to fill up the vacancies, and complete the numbers of administration, no addition of strength was acquired: the adherents of the duke of Bedford were disgusted, and those who accepted offices were not conciliated. Lord Chatham was in a similar situation to that of lord Bute at the close of his administration; the creator of a cabinet who neither loved nor respected him, opposed by a numerous, able, and active party, divested of popularity, and sustained only by the king.

His ill
health.

THESE circumstances, so new, and so insupportable to his ardent and commanding spirit, produced violent effects on his constitution. The gout tormented him incessantly, and the agitation of his mind, no less than his corporeal sufferings, impelled him to frequent change of residence. From London he went to Bath; dissatisfied with Bath, he attempted to return to London, but was detained by his disorder

Feb. 1767.

March.

disorder at Marlborough; he next retired to Hampstead, but soon disliked that situation, and repurchased his former residence at Hayes. His mind was agitated by passions inimical to his repose, and his spirits were occasionally depressed almost to despondency. He was unable to attend public business, and the other members of the cabinet, considering his health irreparably injured, projected new arrangements, and adopted measures not only without consulting him, but in direct opposition to his known opinions.¹ Such was the situation to which that great minister was reduced, who had recently declared in the cabinet his resolution not to sanction measures which he was not allowed to guide. Such were the consequences of forming, what Burke afterwards, with no less wit than truth, described as, “a checker-
“ed and speckled administration; a piece of
“joinery, so crossly indented and whimsically
“dove-tailed; a cabinet so variously inlaid,
“here a bit of black stone, and there a bit of
“white; patriots and courtiers, king’s friends
“and republicans; whigs and tories; treach-
“erous friends, and open enemies;—that it was
“indeed a very curious shew, but utterly un-
“safe to touch, and unsure to stand on.” The
same author, pursuing the subject, has ob-
served, “when he had executed his plan, he
“had not an inch of ground to stand upon;
“when he had accomplished his scheme of ad-
“ministration he was no longer a minister.”^m

THE want of union in the cabinet was evident in many of the proceedings in parliament. When the chancellor of the exchequer pro-

Want of
union in
the cabinet

¹ From the Life of lord Chatham, vol. ii. chapters 32 and 33.

^m Speech on American Taxation. Burke’s Works, vol. i. p. 564.

CHAP.
XIII.
1767.

posed the land tax in the committee, he stated it at four shillings in the pound: "A sum," he added, "necessary for one year longer, to give room for the most brilliant operation of finance ever seen in England; to ensure to us dignity abroad, stability at home, and enable us to enter with advantage into any future war." The proposition was resisted by the country gentlemen, who contended for the reduction of the land tax, according to the usual practice in times of peace, to three shillings in the pound, and derided the mighty consequences which were promised to result from the additional shilling, as it would produce only five hundred thousand pounds. Mr Charles Townshend not having prepared his friends to support his proposition, the new adherents of ministry declared that the land tax ought to be perpetuated at four shillings in the pound. This opinion was combated with much asperity, and treated as a breach of faith. An amendment, changing the supply from four to three shillings, was moved by Mr. Grenville, and carried by a majority of eighteen.^a Thus the chancellor of the exchequer was in a minority on a question of finance: an extraordinary indication of weakness in the cabinet.

Affairs of
the East
India com-
pany.

THE disunion of the ministry was no less perceptible in the affairs of the East India company, which, in pursuance of the intimation to the directors, early occupied the attention of parliament; their charters, treaties with the country powers, letters, and correspondence with their servants in India; the state of their revenues in Bengal, Bahar, Orissa, and all other places, were ordered to be laid before the house; together with an account of all expences in-

^a 206 against 188.

curring by government on the company's behalf. Violent debates ensued, and a petition being presented from the company, the order for printing the private correspondence was discharged. A question of so much extent as the concerns of the East India company, introduced the discussion of many relative and collateral topics, and among others a doubt was suggested concerning the right of the company to the territories acquired in India. The agitation of this question produced many animated speeches; the interference of the house of commons was strongly deprecated; it was urged that the difficulty might be resolved in the courts below, and that house was not, by the constitution, the interpreter of laws, or the decider of legal rights.

THE chancellor of the exchequer declared his disinclination to try the question in the house of commons, and recommended an amicable agreement with the company. A large party of the proprietors, though strenuous in maintaining their claim to those possessions during the remaining term of their charter, were rather disposed by a reasonable composition to prevent litigations, and prepared proposals for an adjustment of the dispute. When this scheme was agreed to by the directors, and presented to the ministry, their want of mutual cordiality occasioned new embarrassments: after the proposals had been delivered to several members of administration in succession, they all declined taking any part in the negotiation out of the house; and a petition was presented to parliament, containing two sets of proposals for a temporary agreement during three years.

On the basis of one of these proposals a bill was framed, binding the company to pay to government

CHAP.
XIII.
1767.

government the sum of four hundred thousand pounds a year, by half yearly payments, and to indemnify the nation should any loss be sustained in consequence of the imposition of certain inland duties, and the allowance of some drawbacks granted at their request. The term, instead of three, was limited to two years, to commence from the first of February 1767.

6th May.
Dividends
increased.

WHILE this affair was under agitation, the company proposed, at a general court, an increase of dividend: justifying the measure by the state of their finances, as they would be enabled, before the month of February, to discharge all their debts, and pay the increased dividend.^o The minority wisely considering this as a dangerous delusion, calculated to renew the fatal effect of the South Sea Scheme, by letter to the directors, recommended the court not to augment the dividend till their proposals were fully discussed in parliament. The proprietors, however, slighted the admonition, and declared a dividend for the ensuing half year, at the rate of twelve and a half per cent.

Regulating
and
restraining
bills.

IN consequence of this, proceeding two bills were brought into parliament; one for regulating the qualifications of voters in trading companies, the other for restraining the making of dividends by the East India company.

THE latter bill rescinded the recent resolution, and restrained them from making any dividend exceeding ten per cent. This measure occasioned a spirited opposition: the company, alarmed at the incroachment on their supposed privileges, petitioned the house, and also proposed, if the bill were laid aside, to

^o Short view of the Laws subsisting with respect to the East India company, 1767, p. 9.

bind themselves for the time of their agreement with government, not to extend their dividends beyond the limits indicated in the restraining bill. The petition and proposal were equally disregarded, and the bill was sent up to the lords, where it was no less strenuously opposed. The whole strength of the anti-ministerial parties was combined, and on the third reading the minority divided forty-four against fifty-nine. A long, learned, and argumentative protest in sixteen articles was entered on the journals, and signed by nineteen peers.

26th June.
Protest.

THE contumacious conduct of the legislature of New York was deservedly reprobated, and in the house of commons some rigorous coercive measures were proposed, but at length it was thought sufficient to frame a law prohibiting the governor, council, and assembly of that province, from passing or assenting to any legislative act, for any purpose whatsoever, till the terms of the American mutiny act should be complied with. This bill was opposed in a speech of considerable length by governor Pownall, whose arguments were supported by alderman Beckford, but without effect.

Suspension
of the le-
gislation
of New
York.

15th June.

ANOTHER measure respecting America was at least impolitic, because it tended to revive and give a new direction to those disputes which had compelled the legislature of Great Britain to repeal the stamp act under circumstances not honourable to the national dignity. This measure was the imposition of certain duties on glass, paper, pasteboard, white and red lead, painter's colours, and tea, payable upon the importation of those articles into the American colonies, to be applied to the purposes specified in the stamp act. The bill also contained a clause for discontinuing the drawback on

New duties
on exports
to Ame-
rica.

CHAP.
XIII.
1767.

Commis-
sioners
established.

the exportation of china-ware to America, and laid some restraints on the practice of smuggling. By another act these and all other customs and duties, payable in America, were put under the management of resident commissioners. These acts met with no opposition in either house; the right of Great Britain was looked upon as indubitable, and the expediency of the propositions was not considered liable to objection.^p

THE principal remaining transactions of this protracted session were, an addition to the stipend of half pay lieutenants in the navy; the settlement of an annuity of eight thousand pounds on each of the king's brothers, the dukes of York, Gloucester, and Cumberland, and a marriage portion of forty thousand pounds to the king's sister, the princess Caroline Matilda, who had espoused the king of Denmark.^q

Attempts
to form
ministerial
arrange-
ments.
June.

BEFORE the prorogation of parliament, the ministry was considered on the eve of dissolution. General Conway declared his resolution to resign, though he consented to continue in office till a successor was nominated. He assigned as a reason his impatient desire to be again united with his friends, and reluctance in continuing to oppose them. Lord Northington announced a similar determination, alleging his inability to attend public business, on account of ill health. In consequence of these intimations, the king wrote to lord Chatham, informing him of his design to make some alterations in the ministry, and requiring his advice and assistance. Lord Chatham returned a verbal answer, excusing himself from

July.

^p Stedman's History of the American War, vol. i. p 52.

^q The parliament was not prorogued till the 2d of July; the debates are not preserved at length.

interfering

interfering in any new arrangement, as his health was too much impaired for exertion.

THESE facts being known to the parties in opposition, afforded hopes of a speedy and total change in the cabinet. The duke of Newcastle, anxious to prevent the effect of separate overtures to the bodies composing the opposition, was strenuous to cement the union between the Bedford and Rockingham parties. An offer was speedily made from the duke of Grafton to the marquis of Rockingham; but he declined entering into any negotiation without the advice of his friends. The leaders of opposition held a meeting, to prepare necessary arrangements; but they could not agree in some essential nominations; the conference terminated abruptly, and though renewed on a subsequent day, as none would recede from their former opinions, the parties again separated. The ministry therefore retained their situations.

20th July.

THIS inflexibility rendered it impossible for the king to employ either the duke of Bedford or the marquis of Rockingham, for they had refused to accept official situations separately, and could not agree on such terms as might enable them to act together. The ministry, finding that no conditions they could offer would enable them to acquire strength by a junction with their opponents, were obliged to conduct the public business unassisted.

LORD CHATHAM'S health was now deemed irrecoverable, and in fact, ministry were neither benefited by his advice nor supported by his popularity. They wanted a distinguished leader, of talents, character, and reputation, to give efficacy to their measures, and by force of superior powers, enchain those minor pretenders,

Projects
and death
of Charles
Townshend.

CHAP.

XIII.

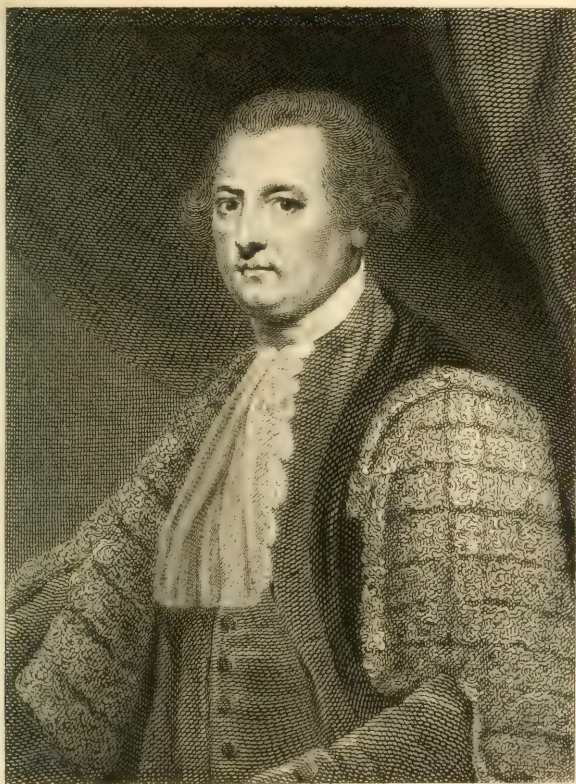
1767.

who in the absence of such a chief disdained submission, and embroiled the cabinet. The chancellor of the exchequer had before entertained similar views, and now projected a new administration, of which he should be the leader. His talents were amply sufficient to justify the intention, and he could have united a body more respectable, more competent, and more capable of a cordial and beneficial co-operation than those who were at the helm. Under him the ministry would have assumed at least a more decided character, and the public no longer felt that they retained their situations merely by the want of union in their adversaries, and stood only by their own weakness. He obtained for his brother, lord Townshend, the vice royalty of Ireland, designated Mr. Yorke, son of the late lord Hardwicke, for chancellor, and probably had made other appointments, when his life was unexpectedly terminated by a putrid fever.

4th Sept.

His character.

CHARLES TOWNSHEND, from whose splendid abilities government was expected to receive a new impulse, and whose talents were employed in an attempt to rescue the administration from the feebleness of fluctuating councils, was descended from Charles Viscount Townshend, the able and upright minister of the house of Brunswick. He passed through the schools with distinguished reputation, and was celebrated for that pointed and finished wit which rendered him the delight and ornament of parliament, and the charm of private society. In his speeches he brought together in a short compass all that was necessary to establish, to illustrate, and to decorate that side of the question which he supported,

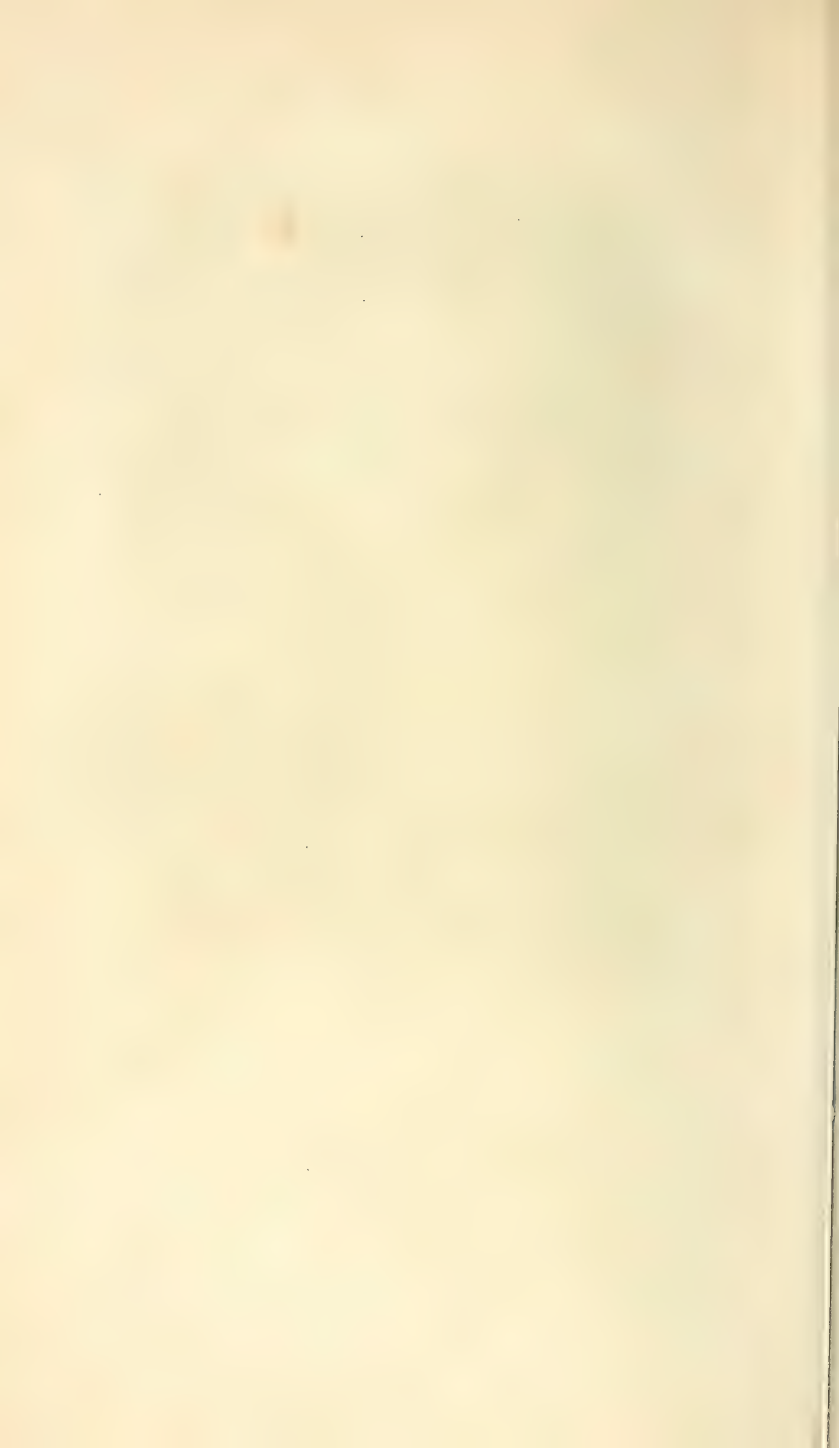


RICH^D. CHARLES TOWNSHEND

Chancellor of the Exchequer.

From an Original Picture in the possession of the

Marquis Townshend.



ported. He stated his matter skilfully and powerfully; his style of argument was neither trite and vulgar, nor subtle and abstruse. He excelled in a most luminous explanation, and display of his subject.* His defects arose from his lively talents and exquisite penetration: he readily perceived and decried the errors of his co-adjutors, and from the versatility of his political conduct acquired the nick-name of the weather-cock. He sat in parliament twenty years, and successively filled the places of lord of trade, and of the admiralty, secretary at war, paymaster of the forces, and chancellor of the exchequer, in which offices he executed business with such accuracy and dispatch, as demonstrated that genius and industry are not incompatible. He was carried off in the meridian of life, at the age of forty-two, at a time when it might be hoped his lively talents were matured by experience, and the irregular sallies of his versatile temper, subjected to the restraints of judgment.

CHAP.
XIII.
1767.

THIS event renewed the difficulty of effecting a ministerial arrangement; the chancellorship of the exchequer was filled *ad interim* by lord Mansfield. It was offered to lord North, who, for some reasons which are not precisely known, declined accepting it. The offer was subsequently made to lord Barrington, who had discharged the duties of the same station with distinguished ability, under the administration of the duke of Newcastle, during a period of no inconsiderable difficulty. Lord Barrington expressed great reluctance at being placed in a situation to which he thought lord North's parliamentary talents more equal, but declared his readiness to undertake the office

12th Sept.

* Burke's Works, vol. i. p. 566.

CHAP.

XIII.

1767.

1st Dec.
Lord North
chancellor
of the ex-
chequer.

His cha-
racter.

from a sense of duty to his king and country, if a renewed application to lord North should fail; a negotiation was attempted with the duke of Bedford, but without effect, and at length lord North was prevailed on to accept the office.*

LORD NORTH, eldest son of Francis earl of Guilford, was now in the thirty-sixth year of his age: he commenced his education at Eton, and completed it at Oxford, with considerable reputation for his proficiency in classical literature. His elegant taste as a scholar was eminent through a life fully occupied with the most momentous public concerns. On his travels he applied with much assiduity to the acquisition of diplomatic knowledge, and studied with great success the Germanic constitution, under the celebrated Mascove. He commenced his parliamentary career in 1754, and during Mr. Pitt's administration, in 1759, obtained a seat at the treasury board; he was removed by the Rockingham ministry in 1765, but with lord Chatham came again into office as joint paymaster of the forces. His talents, erudition, and experience eminently qualified him for the important situation he was now called upon to fill. His abilities for debate were universally acknowledged, and had been advantageously displayed in the motions against Wilkes, and in the discussions on India affairs.

3th Dec.
Grafton
administra-
tion.

20th Jan.
1768.

MR. THOMAS TOWNSHEND succeeded lord North as paymaster, and Mr. Jenkinson was appointed a lord of the treasury; lord Northington and general Conway resigning, lord Gower was made president of the council, lord Weymouth secretary of state, and lord Sandwich joint postmaster general. These promo-

* From private information.

tions indicated an accommodation between the ministry and the Bedford party, and the cabinet was further strengthened by the appointment of lord Hillsborough to the office of secretary of state for America. The ministry, thus modelled, was called the duke of Grafton's administration; for although lord Chatham still retained his place, he was incapable of transacting business; in consequence of which the privy seal was for a short time put in commission, though it was afterwards restored to him.

CHAP.
XIII.
1768.

February.

March.

THESE changes were effected during the sitting of parliament, but as the king in his speech from the throne announced that they were called together merely to transact the urgent public business, that a dissolution might take place at a time not inconvenient to the people, no affairs of importance were agitated. The king's speech principally recommended to the attention of parliament, the relief of the poor, who still suffered from the high price of provisions, and particularly of corn. Petitions on this subject were presented from the city of London, and from Devizes, and an act was passed similar to that of the preceding session, prohibiting the exportation, and encouraging the importation of grain.

24th Nov.
1767.

Restraint
on grain.

THE act of the last session, restraining the East India company from increasing their dividend beyond ten per cent. being expired, was now renewed. The company strenuously resisted the interference of government in their affairs; and presented a petition against the bill. As a chartered body they claimed exemption from such authority; and as British subjects demanded relief from a restraint, which, if urged as a precedent, would affect

Restriction
of divi-
dends on
East India
stock.
15th Jan.
1768.

CHAP.
XIII.
1768.

8th Feb.
Protest.

17th.
Nullum
Tempus
bill.

Rejected.

Occasion
of the
motion.

6th July
1767.

7th Aug.

all the public and private property in the kingdom. The bill, however, passed the house of commons by a great majority; in the house of lords it was vehemently opposed, and a long protest was signed by eleven peers.

IN this session a motion was made by Sir George Savile, a conspicuous member in opposition, to bring in a bill for quieting the possessions of the subject, and for amending, and rendering more effectual an act passed in the twenty-first year of James I. for the general quiet of the subject, against all pretences of concealment whatever. The intended law is commonly denominated the *Nullum Tempus* bill; the motion was rejected after a violent debate by a majority of twenty only,^s and as the occasion and nature of the motion excited a considerable share of interest, a succinct account is given of the transactions by which it was produced.

THE Portland family, in consequence of a grant made by William III. to their illustrious ancestor of the honour of Penrith, in the county of Cumberland, *with the appurtenances*, had been about seventy years in possession of the forest of Inglewood, and the soccage of the castle of Carlisle, the value of which is stated at about thirty thousand pounds, or one thousand pounds a year. Sir James Lowther, conceiving these premises not to be included in the terms of the grant, presented a memorial to the treasury, praying a lease of his majesty's interest therein for three lives, on such terms as should be thought proper. This memorial being referred to the surveyor general; he reported, that, in his opinion, the duke's title

^s 134 against 114.

did not extend to the subject in question, and recommended that a lease should be granted, as requested, at a reserved rent of fifty pounds per annum for the soccage of Carlisle, and thirteen shillings and four-pence for the forest, and a third of the rent of such lands and hereditaments in either place, as Sir James should recover. This demise was supposed to be in conformity to the civil list act.

THE duke received no official notice of these proceedings, but was no sooner informed of the transaction than he entered caveats in the proper offices, and requested the treasury board to postpone the consideration of the memorial, and grant him permission to be heard by council.

2d Sept.
8th Oct.

9th.

IN consequence of this application the secretary of the treasury notified to his grace that his claim would be referred to the surveyor general, who would at the same time be instructed to revise the report on the memorial; and the duke was assured no further proceedings should be adopted till his title had been stated, referred to, and reported on by the proper officer, and fully and maturely examined by the treasury board. The duke's agents proceeded in their researches after documents to support his title, and to invalidate the report of the surveyor general; for which purpose they deemed it necessary to obtain an inspection of certain deeds or evidences in the surveyor's office; but this was peremptorily refused. His grace presented a memorial to the treasury, by which, in regard that all public records ought to be inspected for the benefit of the parties interested; the lords of the treasury were prayed to direct the surveyor general to permit the duke's agents to inspect, and take copies if necessary,

10th Oct.

20th Oct.

2d Dec.

CHAP. cessary, of all the surveyor's court rolls, and
 XIII. other muniments and writings in his custody
 1767. relative to the matters in question.

THE duke was informed that their lordships granted his request, as to the inspection of the surveyor's office, not on the foundation of right, but as a matter of candour and civility. The order for this purpose was not readily obtained, and when the surveyor general was informed of the permission given by the treasury, he stated to the board that the surveys and evidences in his custody were not public records, but kept there for the king's use only, that permitting the king's deeds and evidences to be inspected by agents of persons who avowedly intended to contest the rights of the crown, would be a bad precedent, and might be detrimental to his majesty's interest on future occasions. He added, that in his judgment the shortest way would be to try the right of the crown, which Sir James Lowther was ready to do at his own expence, if the board would grant him the requested lease. In consequence of this letter, the treasury, notwithstanding the caveats which had been entered, passed the grant to Sir James, and then apprized the duke of its being done.

22d Dec.

THIS lease was considered as an affair of party, and all the vehemence of party was exercised on the subject.* The duke's friends contended that the grant made by William III. comprized, in its general terms, the premises now leased to Sir James Lowther, or, if not, the length of possession ought, as in the case of private individuals, to be a bar against all

* Much rancour was displayed in attributing this grant to the influence and exertions of the earl of Bute, in favour of Sir James Lowther, who was his son-in-law.

questions of title. The unpopularity, tyranny, and danger of resumption by the crown were strongly urged, and the ministry accused of attempting to revive that odious maxim *nulum tempus occurrit regi*.

CHAP.
XIII.
1768.

ON the other side it was contended, that the general words in the grant did not convey any thing more than was exactly described, with its obvious and necessary appurtenances. That even admitting king William's right to grant estates in fee simple to the prejudice of his successors, still such grants ought to be read with great strictness, and not in a manner so loose as to permit an estate of a thousand pounds a year to pass in mere general terms. The length of possession, it was said, instead of being an argument in the duke's favour, presented an instance of the moderation of government, who were content merely to try a claim to a valuable estate, without entering into a question respecting the arrears incurred by seventy years possession, amounting at least to seventy thousand pounds.

THESE arguments do not appear satisfactory: it is obvious that there was a disposition in the ministry to gratify Sir James Lowther at the expence of the duke of Portland, and in that view the transaction was not honourable either to the ministry, or to the person preferred. The length of possession, if not a sufficient bar to every claim, ought at least to have procured for the possessor a refusal of the lease on equitable terms. But on the whole it was unbecoming the dignity of government to enter into such a contest with a subject. The property was not of sufficient value to afford an excuse for impelling the sovereign to appear in his own courts as suitor against

CHAP.
XIII.
1768.

against the descendant of a man whose zeal in establishing the protestant succession, though liberally, was not superabundantly rewarded.

THE repeated complaints of the duke's friends that he was ill-treated, and trifled with by the officers of government, seem utterly void of foundation. They did their duty with candour, temper, and propriety. Still less credit attaches to the assertion that the motive of passing the grant was to secure an influence at the ensuing general election: the estate was not of sufficient importance to affect in any great degree a county election, and as the grant was avowedly expedited for the mere purpose of preventing the claim from being argued in council, where it could not be legally decided; the transfer could not be attended with quiet possession so as to give the supposed influence.^u

7th Mar.
1768.
Proroga-
tion.

AFTER passing the supplies, and some private bills, the king put an end to the session. In his speech he thanked the parliament for their signal proofs of affectionate attachment to his person, family, and government, faithful attention to the public service, and earnest zeal for the preservation of our excellent constitution.

14th.
and disso-
lution of
parliament.

Two days afterwards the parliament was dissolved by proclamation.

^u These facts are taken from, "The case of the duke of Portland respecting two leases lately granted to Sir James Lowther;" "A reply to the case of the duke of Portland," and "Observations on the Power of Alienation in the Crown."

CHAPTER THE FOURTEENTH.

1767.—1768.

State of Europe.—Power of the Jesuits.—Their expulsion from Spain and Naples—and final suppression.—State of France.—Seizure of Avignon.—War in Corsica—the island subdued by the French.—War between the Turks and Russians.—Affairs of America.—Exertions against the new taxes.—Disputes between the governor and legislature of Massachusetts Bay.—Proceedings of the assembly—their circular letter.—Libels on the governor.—Prorogation of the assembly—their inflexibility—and dissolution.—Temper of the people.—Seizure of Hancock's sloop.—Town meetings.—Convention.—Arrival of the troops.—Tranquillity of New York.—Affairs of Ireland.—Brief retrospect.—The lord lieutenant obliged to resign.—Lord Townshend appointed.—Efforts of the people to alter the constitution of parliament.—An octennial bill is at length passed, and receives the royal sanction.

ALTHOUGH the continent of Europe was at this period nurturing the principles which have since produced the most important changes, no transaction yet appeared to interfere with the immediate welfare or tranquillity of Great Britain.

THE event which most immediately affected the interests of mankind was the fall of the jesuits. That body, by their learning, activity, intrigue, and federal union, had acquired an unlimited authority in all catholic countries; they

CHAP.

XIV.

1767.
State of
Europe.

Power of
the jesuits.

CHAP.
XIV.
1767.

they regulated the consciences of crowned heads; at their suggestions treaties were confirmed or broken, and war or peace prevailed. Their influence extended to all parts; the camp, the college, and even the cottage paid implicit deference to their mandates. As preceptors they had the advantage of discerning, and giving an inflexion to the tempers, passions, and habits of youth, of acquiring an unlimited ascendancy over the mind; of enslaving the timid, restraining the proud, and bending even the energies of courage and virtue to their own peculiar views. Their orders, and even many regulations of their society, were an inscrutable mystery, but so early was their intelligence, and so prompt their communication, that they seemed every where to be the first apprized of occurrences, and earliest, and most abundantly benefited by them. Their activity and influence over the timid and superstitious threw enormous wealth into their hands, and their ambition was supposed equal to their power. From their first establishment as an order, they were occasionally regarded with suspicion and inquietude, and already several principal powers in Europe had expelled them as a body dangerous to government.^a In some countries intrigue, superstition, or fear had procured their re-admission, but the present period was marked for their total expulsion and final suppression. De Choiseul, the French minister, conceived this great project, in which he was animated by political considerations, and by an attachment to the modern systems of free-thinking philo-

^a They were expelled from France in 1594, but re-established in 1603; from England in 1604, from Venice in 1606, and from Portugal in 1759, under pretence of having instigated the families of Tavora and d'Aveiro to assassinate king Joseph I.

sophers.

sophers. He procured in 1764 a suppression of their order in France, although the members were still permitted to continue their residence as individuals, conforming to the spiritual and civil ordinances of the realm.

CHAP.
XIV.
1767.

IN Spain and the transatlantic dominions of that country, their influence was most extensive, and from the bigoted attachment of the Spaniards to the catholic religion, and to the jesuits in particular, their establishment was deemed perfectly secure, and their government as permanent and efficient as that of the king himself. Yet in the midst of this security, and without any previous indication of jealousy or displeasure, their total ruin was effected. This project was conceived under the influence of De Choiseul, and conducted by means of the marquis D'Ossun, the French ambassador at the court of Madrid, who concerted his measures with Charles III. king of Spain, and the count D'Aranda his prime minister.

Their expul-
sion
from
Spain.

THE execution of the design was sudden and decisive; at midnight large bodies of the military surrounded the six colleges of the jesuits in Madrid, forced the gates, secured the bells, and placing a sentry at the door of each cell, commanded the fathers to rise, summoned them into the refectory, and read the king's order for instant transportation. The royal seal was put on all their effects, except a few necessities which they were permitted to carry away. All the hired coaches and chaises in Madrid, together with several waggons, being engaged and distributed in proper places, their journey towards Carthagena immediately began. The inhabitants of the capital, in the morning learned the intelligence with surprize and consternation, but had not the power, if they had inclination,

31st Mar.
1767.

CHAP.

XIV.

1767.

3d April.

inclination, to interfere in preventing the execution of the king's command.

THREE days afterwards the jesuit's college in Barcelona was surrounded, and the members transported in circumstances exactly similar. The same measures were adopted at the same hour in every part of the kingdom; ships were provided in the different sea ports for carrying the jesuits to the ecclesiastical state; and the most effectual means were adopted for preventing any communication to the king's foreign dominions. The royal ordinance for the expulsion of the jesuits was then published, by which all their property was confiscated. A small pension was assigned to each individual, payable only while he resided in a place appointed, and abstained from offence in his writings and conduct, and the misdemeanor of one was declared sufficient to subject the whole body to a forfeiture of their stipends. The king's subjects were forbidden, under penalties of high treason, to correspond with the jesuits; they were enjoined to observe strict silence, and not to write, declaim, or make any movement for or against these measures. The same regulations extended to the Indies, where a similar seizure and expulsion took place, and an immense property was acquired by government.

ALL men were surprized at the secrecy and rigour of this transaction, and were therefore prepared to receive and credit the accounts which might be given of the motives of the Spanish court. Extensive projects, and dangerous machinations were imputed to the jesuits, and all the dread and jealousy which other nations entertained of their malignity and influence were exerted in finding the causes

causes of their unexpected downfall. It was currently believed that they had fomented, and perhaps excited, a dangerous popular insurrection, which the year before had agitated the capital, and compelled the king to dismiss his ministers.

CHAP.
XIV.
1767.

BUT whether the crimes or intentions imputed to the jesuits were founded in fact, or the mere suggestions of a party inimical, not only to their establishment as a body, but to the Christian religion in general, their sufferings intitle them, as men, to commiseration. The horror of being suddenly torn from their homes, and all their social connections, was augmented by the terrors of an uncertain destination, and the anticipation of an unwelcome reception. Men who were for the greater part advanced in years, all of them used to the indulgences of an honourable situation, and to the ease of a sedentary life, were now reduced to the allowance and treatment of soldiers in transports. When they arrived before Civita Vecchia, the Pope, Clement XIII, prohibited their landing in his dominions: they were therefore obliged to await fresh orders from Spain. A negotiation was opened with the republic of Genoa, for permission to land them in Corsica: before the treaty was concluded, the Spanish admiral received orders to sail for the port of Bastia; but the Corsican governor would not suffer them to disembark. At length the sanction of the Genoese government was obtained; the transports were ordered to the ports of Calvi, Algaiola, and Ajaccio, and the surviving jesuits, amounting to two thousand three hundred, were put on shore.

Ill treatment.

22d May.

8th June.

CHAP.

XIV.

They are
expelled
from Na-
ples:
and the or-
der sup-
pressed.

THE example of the king of Spain was immediately followed by his son Ferdinand VI, king of Naples, and afterwards by Parma: and in 1773 the order was suppressed by Clement XIV, who was elevated to the papacy on that express condition.

ALTHOUGH, by a resolute exertion of the civil power, this formidable society was thus reduced, there is great reason to doubt that the strength of the European governments was augmented by their fall. If they were really guilty of dangerous and treasonable designs, sufficient means were not wanting, especially in arbitrary monarchies, to punish the guilty and disperse their adherents. Even the whole order might have been reformed, their wealth diminished, their power abridged, and their numbers reduced. But the destruction of a society which included so much learning and ability, and respectable from connections and able publications in literature and theology, diminished the general credit of the established religion, and gave new spirit to those who already meditated the destruction both of Christianity and monarchy.

State of
France.

FRANCE was in a state of the greatest political and moral depravity. The king, immersed in sensual enjoyment, neglected the affairs of government; the kingdom was ruled by his mistresses and ministers. The parliaments impeded the exertions of government by cavils and contests, in which the sole aim was to acquire undue authority. The treasury was empty, although injudicious taxes oppressed the people, and famine was felt in many parts of the country. Yet France was the centre of dissipation and infidelity. Already a sect of pretended philosophers had obtained an extensive

tenſive influence; who, avowing war againſt popery, aimed at the ſubverſion of all religion, and the deſtruction of regal power.^b The government was inſenſible of the approaching danger; and Choifeul, intent on ſchemes of conqueſt, and augmentation of territory, wanted only a well replenished treaſury to embroil all Europe.^c But the finances were fatally deranged: the Eaſt India company bankrupt, and the creditors of ſtate anxious, diſſatisfied, and alarmed.

CHAP.
XIV.
1767.

RESTRAINED from entering into extenſive wars, the French took advantage of the ſtill greater weakneſs of the Pope, and ſeized on his dominions in Avignon, and the Venaiſſin, without the ſlighteſt claim of right.

Seizure of
Avignon.

THE iſland of Corſica alſo offered temptation to the ambition of the French. Oppreſſed by the Genoefe, the Corſicans had long ſig-

War in
Corſica.

^b A letter from Horatio Walpole, afterwards earl of Orford, to general Conway, dated the 28th of October 1765, contains full, explicit, and undeniable evidence on this ſubject: “The dau-
“phin,” he ſays, “will probably hold out a few days. His
“death, that is, the near proſpect of it, fills the philoſophers with
“the greateſt joy, as it was feared he would endeavour the reſtora-
“tion of the jeſuits. You will think the ſentiments of the philoſo-
“phers very odd ſtate news—but do you know who the philoſophers
“are, or what the term means here? In the firſt place it compre-
“hends almoſt every body; and in the next, means *men, who avow-
“ing war againſt popery, aim, many of them, at a ſubverſion of all
“religion, and ſtill many more, at the deſtruction of regal power.*
“How do you know this? you will ſay; you, who have been but
“ſix weeks in France, three of which you have been confined to
“your chamber. True; but in the firſt period I went every where,
“and heard nothing elſe; in the latter, I have been extremely
“viſited, and have had long and explicit converſations with many
“who think as I tell you, and with a few of the other ſide, who are
“no leſs perſuaded that there are ſuch intentions. In particular, I
“had two officers with me the other night, neither of them young,
“whom I had difficulty to keep from a ſerious quarrel, and who,
“in the heat of the diſpute, informed me of much more than I could
“have learnt with great pains.”—See Lord Orford’s Works, vol. v.
p. 122.

^c Œuvres du Roi de Pruſſe, vol. iv. p. 181.

CHAP.
XIV.

nalized themselves by an obstinate, and often well conducted resistance. Under the government of Pascal Paoli, whom they elected general of the island in 1755, they made still more respectable exertions: their improvements in civilization bore some proportion to their increased energy in arms; and they became so formidable that the Genoese, despairing of achieving a conquest, sought, in 1761, to lure them into their pristine subjection, by a conciliatory manifesto. This also failed in its effect; the Corsicans came to a resolution never to make any agreement with the republic, until their liberties and independency were acknowledged and secured, and published a memorial to the nations of Europe, calling upon them, by the rights of humanity, to interpose and give peace to a nation which had made such conspicuous exertions in the cause of freedom. This application procured them no assistance; and even the British ministry, at the peace, issued a proclamation forbidding the king's subjects from affording assistance to the Corsican rebels. This harsh appellation hurt the feelings of Paoli, who said, "He did not expect that from "Great Britain;" but the ministry acted wisely in not interfering between another nation and its dependency.

THE Corsican general, without foreign aid, had nearly completed the emancipation of his country, when France, in 1764, concluded a treaty with Genoa, and sent six battalions of troops to garrison the fortified towns for four years, who being enjoined to act only on the defensive, were not opposed but kindly received by the islanders. The comte de Marbœuf, their commander, behaved with mildness and moderation; he carefully preserved the towns entrusted

trusted to his charge, but committed no injuries against the inhabitants: and Paoli, refrained from making active war, employed this interval in cultivating the arts of peace, and strengthening himself for future contests.^d

UNFORTUNATELY, the Corsicans were not unanimous among themselves. A party headed by two brothers named Abbattucci, was in considerable force on one side of the island, and carried on open war against Paoli.^e When the end of the four years approached, the French minister appeared desirous to terminate the differences between the Genoese and the Corsicans. He drew up propositions, which were approved by Paoli, and contrived to preserve the liberty of the Corsicans, without derogating from the dignity of the senate of Genoa.

WHILE this negotiation was yet pending, 1767. the Spanish jesuits were, by the consent of the Genoese, landed in Corsica. The French minister, anxious for the destruction of the order, appeared offended, and withdrew the troops from the ports into which the jesuits were admitted. Paoli disposed to derive advantage from the retreat of the French, immediately possessed himself of the places which they had evacuated; but the minister requested him to desist from hostilities, and consider those places in a state of neutrality, as if garrisoned by the French, till the expiration of the four years, when the troops should be withdrawn from the island; and promised, if a peace was not at that time concluded, the Corsicans should be at full liberty to assert their rights.

NOTWITHSTANDING these explicit avowals

^d Boswell's account of Corsica, chap. ii.

^e Life of Dumouriez, vol. i. chap. iii.

CHAP.

XIV.

1767.

of Corsican independence, the French government purchased the island from the republic of Genoa, although the natives claimed, and had an indubitable right, to be considered as independent, and had been acknowledged so by the power which now became the purchaser.

THIS measure was expected to produce much opposition in Europe, but Choiseul made such arrangements as prevented hostilities. Great Britain and Sardinia were the principal powers who interested themselves in the subject; but the representations made to the cabinet of St. James's, induced them to abstain from opposing the transfer, and Sardinia was too feeble singly to oppose France.^f

THE Corsicans, when informed of the sale, held a general meeting, and swore to defend their liberties to the utmost extremity; but this generous resolution, though maintained with spirit, did not avail. They were defeated in many encounters, and after a gallant resistance, the whole island was over-run: Paoli was obliged to consult his safety by flight; he retreated first to Pisa, and afterwards to London, where his necessities were relieved by a pension.^g

22d Sep.
1769.

War between Russia and the Porte.

1767.

MEANWHILE war raged between Russia and the Porte, but the events in no degree affected, for the present, the interests of England. Russia began to display unlimited power in Poland, and those measures were arranged between the king of Prussia and the empress, which led to the subsequent dismemberment of the country.^h

^f See Life of Dumouriez, vol. i. p. 109.

^g Life of Dumouriez, vol. i. chap. v. and vi. Description of Corsica, &c. &c. by Frederic son of the late Theodore, king of Corsica.

^h Œuvres du Roi de Prusse, vol. iv. p. 167, et seq.

IF these transactions appeared of small importance to the welfare of Great Britain, the state of her colonies became daily more and more embarrassing and alarming. When the ministry brought into parliament the act for laying duties on certain articles of commerce exported to America, they could not foresee objections to the right. The authority of the British parliament to impose what they deemed external taxes, was generally admitted,¹ and if the inflamed state of the public mind in America, and the triumphant confidence resulting from the successful opposition to the stamp act, rendered it impolitic, the legality was unquestioned. But the Americans were not disposed to concede the minutest objection in favour of the mother-country. The inclination to controversy imbibed during the discussion of the former question, and the systems then first promulgated, raised an insuperable barrier to the reception of any new measure tending to benefit Great Britain at the expence of the colonists.

CHAP.
XIV.
1767.
Affairs of
America.

ON the first intelligence of the taxes imposed by parliament, the American presses teemed with invective against the system, and the ministry by whom it was recommended. It was represented as originating in a pernicious and illegal resolution to reduce the Americans to an abject state of slavery and distress. These writings, though not abounding in eloquence and wit, were not so despicable as to justify total negligence: they daily filled the pages of American newspapers, while no

Exertions
against the
new taxes.

¹ Even Dr. Franklin admitted this principle in its fullest latitude, and seemed to make the establishment of a distinction between the right of internal and external taxation, the strongest point on which the Americans founded their claim of relief from the stamp act. See his examination, Debrett's Debates, vol. iv. p. 328, 330, 334.

CHAP.

XIV.

1767.

In Massachu-
setts's
Bay.Disputes
between
the legisla-
ture and
the gover-
nor.28th Oct.
Non-im-
portation
agree-
ments.

writer was sufficiently hardy, or sufficiently interested to espouse the contrary opinion.

THE province of Massachusetts Bay, took the lead in opposing the measures of government. The meeting of the first congress had done irreparable injury to the British dominion, by enabling the various provinces of America, to unite in opinion and conduct, by making the grievances of any single province a common cause, and thus obliging the loyal or the timid to relinquish the dictates of their own judgment or disposition, in favour of the rebellious and turbulent.

THE untameable republicans of Massachusetts Bay soon engaged in such a system as impelled the other colonies to join them in open resistance to the mother-country. Sir Francis Bernard, their governor, was held in great dislike for his vigorous efforts to support the orders of government; he was represented as exceeding the authorities with which he was invested, and treating the public, and the council and assembly, with insupportable haughtiness, and he irreparably offended the violent party, by refusing to confirm the election of some persons whom he deemed unfit to be members of the council. His refusal was justified by the colonial charter, but the exercise of this privilege was peculiarly offensive. To the unpopularity of their governor, and the intemperate virulence with which he was opposed, the perturbed state of the province may be in a great measure ascribed.

WHEN intelligence of the new tax laws was received, the people assembled at the town-hall in Boston, and entered into associations to encourage the manufactures of America, and desist from the use and importation of British luxuries.

*

GOVERNOR

GOVERNOR BERNARD found it necessary to convene the legislature earlier than he intended, but, having received information from the speaker of the assembly, that remonstrances against the late acts were in contemplation was prepared to expect a session replete with turbulence and disaffection. The first eighteen days of the sitting were consumed in drawing up these remonstrances; and a long letter was written to Mr. de Berdt, the colonial agent in England, instructing him to controvert the obnoxious acts on every ground of right and policy. The legislature also prepared a petition to the king, in which they claimed, as rights of British subjects, an exemption from taxation, unless they were represented in parliament, which, at the same time, they stated to be impossible. They also wrote to lord Shelburne, the marquis of Rockingham, general Conway, lord Camden, and lord Chatham, and to the lords of the treasury; all these letters, although varied according to the circumstances and situation of the parties to whom they were addressed, spoke but one sentiment, dissatisfaction at the late measures, and a determined spirit of resistance.

ANOTHER proceeding of the assembly was still more important in its consequences. A circular letter was addressed to the speakers of the houses of assembly throughout the continent, complaining of all the late acts, inciting them to a strenuous opposition, and inviting them to communicate such advice as they should think judicious. This letter, which was conceived in moderate and impressive terms, produced great effect: all jealousy between the different legislatures immediately subsided; the candour evinced by
an

CHAP.
XIV.

1767.

30th Dec.
Proceed-
ings of the
general
court.

12th Jan.
1768.

20th.

11th Feb.
Their cir-
cular let-
ter.

CHAP.
XIV.
1768.

an independent body in requesting the sanction and advice of their fellows, quieted suspicion, and made many of the assemblies firm adherents to their cause. Several of the speakers,^k by direction of the bodies over which they presided, united in opinion with the assembly of Massachusetts Bay; and their sentiments gained ground in all parts of the continent.

Dispute
respecting
lord Shel-
burne's
letter.

WHILE these matters were under discussion, a topic of dispute occurred between the assembly and the governor. In consequence of Sir Francis Bernard's refusal to confirm the nomination of members of the council, lord Shelburne, secretary of state, expressed high approbation of his conduct, with many reproaches against the spirit exhibited by the legislature. This letter the governor communicated to the assembly, but only permitted it to be read by the clerk, and would not suffer a copy to be entered on the journals. The house, dissatisfied with this proceeding, and anxious to obtain documents which might inflame the popular resentment against Sir Francis, required a copy, and also his own letters to which it referred. The governor, in a laconic answer, declined compliance; but the assembly still persevering, strenuously reiterated their demand; and this message, which referred to and cited, from the memory of the writers, some passages of the secretary of state's letter, was printed by permission of the assembly in one of the newspapers. It now became unnecessary for the governor any longer to refuse a communication of the original, it was therefore transmitted with a short indignant message, and entered on the journals. The assembly wrote

13th Feb.

16th.

18th.

23d.

^k Virginia, New Jersey, Connecticut, Georgia, and Maryland.

to lord Shelburne, animadverting on it with great asperity, and treated the conduct of Bernard, which had been approved by the secretary of state, as an abuse, or at least an unwarrantable exercise, of his legitimate authority.

CHAP.
XIV.
1768.

THE efforts used to render the governor's situation insupportable, were not confined to the house of assembly. A virulent incendiary letter was published in the Boston Gazette, upbraiding him in the coarsest terms with his conduct towards the colony, and particularly with his supposed letters to lord Shelburne, by which the secretary of state had been influenced to censure the legislature. This flagrant and atrocious insult appeared to endanger the safety of government, and called for the immediate interposition of the legislative body. Sir Francis communicated the libel, and required advice. The council returned a loyal and dutiful address, reprobating the publication and its author, and declaring their readiness to concur in any measures which the majesty of the king, and the dignity of his government, the honour of the council, and the true interest of the province, should require. The assembly displayed a contrary disposition: they alleged that as no particular person, public or private, was *named* in the publication; it did not affect the majesty of the king, the dignity of the government, the honour of the general court, or the true interests of the province; and thought themselves fully justified in taking no further notice of it.¹

29th Feb.
Libel on
the gover-
nor.

3d March.

THE next day, the governor in a speech of considerable length, reprobated their conduct

4th March.
Proroga-
tion of the
assembly.

¹ The public agreed in this opinion, for when the libel was afterwards presented to the grand jury, they refused to find the bill. The libeller, encouraged by impunity, renewed his attack with increased acrimony.

CHAP.

XIV.

1768.

in many particulars from the beginning of the session, particularly their animadversions on lord Shelburne's letter, and permitting their proceedings to be published in newspapers: he vindicated his own character and conduct, and having expressed a determination to persevere in the same course, prorogued the court till the thirteenth of April.

Instruc-
tions from
the secre-
tary of state
to the go-
vernor.

THE conduct of the assembly of Massachusset's Bay, in sending a circular letter to the other provinces, was highly resented by the ministry. They justly considered it as evidently tending to create unwarrantable combinations, to excite an unjustifiable opposition to the constitutional authority of parliament, and to revive those unhappy divisions and distractions which had operated so prejudicially to the true interests of Great Britain and the

22d April.

colonies. Lord Hillsborough, secretary of state for America, wrote to the governor expressing these sentiments, and requiring that the resolutions which gave rise to the obnoxious letter should be rescinded. To afford the assembly an opportunity of complying without injury to their feelings, the secretary of state considered the measure as obtained by surprize, and contrary to the real sense of the majority; but in conclusion, Bernard was directed, if they declined rescinding the resolutions, to dissolve the assembly, and send an account of their proceedings to be laid before parliament.

21st June.
Proceed-
ings on the
subject.

23d.

24th.

SIR FRANCIS transmitted a copy of this letter to the assembly, omitting the latter part, to obviate the imputation of using threats. The members, however, demanded a more complete communication, and the governor, in complying with their request, informed them of his determination, if they disobeyed the king's commands,

commands, to fulfil his instructions. The assembly not returning an answer to this declaration, he sent a message desiring they would come to some resolution on his majesty's requisition, and intimated that he should consider a much longer delay as amounting to a negative. The assembly attempted to evade this demand, by requesting an adjournment to consult with their constituents, but the governor not acceding to the proposal, they at length sent a long message, in which they defended their former resolutions, and refused to recede or apologize. A letter of great length, and to the same purport, was written to lord Hillsborough, and to prove that the former measure was not obtained by surprize, nor contrary to the sense of the house, the numbers were taken on the division, by which the question for rescinding the resolutions was rejected, and were found to be ninety-two to seventeen. In pursuance of his instructions, the governor dissolved the assembly.^m

THIS ferment in the legislature did not permit a great degree of tranquillity in the people. Those who were before disposed to exhibit a licentious disposition, now secure of impunity and support, laid no restraint on their conduct. The act for establishing a board of customs was liable to no objection in argument, but as it laid the smuggling trade under insurmountable difficulties, was felt and resented with great

CHAP.
XIV.
1768.
28th June.

29th.

30th.
Inflexibility.

1st July.
And dissolution of the assembly.

Temper of the people.

^m The account of these proceedings is taken from Stedman's History of the American War, vol. i. p. 54 to 62; Andrews's History of the War, vol. i. 80, et seq.; Almon's Collection of Papers, vol. i.; The true sentiments of America in a Collection of Letters, &c. including papers relating to a supposed libel on the governor of Massachusetts Bay; Letters and memorials to lord Hillsborough from governor Bernard and general Gage, two collections, 1769; The American Gazette, 1768; and the periodical publications.

CHAP. acrimony. The board passed several wise and
 XIV. effectual regulations for accomplishing the ends
 1768. of their institution, and were therefore regard-
 ed with peculiar malignity; and while the as-
 sembly was yet sitting, this spirit was displayed
 in a manner which threatened to involve the
 whole province in rebellion. A sloop belong-
 ing to John Hancock, one of the principal mer-
 chants, arrived in Boston harbour laden with
 wine, and a tide waiter was put on board to
 prevent the cargo from being landed until
 entered at the custom-house, and a permit
 obtained. The master of the vessel having in
 vain tampered with the officer, forcibly locked
 him up in the cabin, landed the wine, and
 took in oil from the shore. Information of
 this violence being given at the custom-house,
 the collector seized the sloop, and placed it un-
 der protection of the Romney ship of war, then
 in the harbour. The mob on shore assailed the
 collector and comptroller of the customs, beat
 and pelted them with stones; threatened the
 commissioners, whom they obliged to seek re-
 fuge on board the Romney; and, seizing the
 collector's boat, carried it in triumph, and
 burned it before Hancock's door. The com-
 missioners applied for protection to the go-
 vernor, who referred them to the legislature,
 but that body would give neither advice nor
 assistance, and the commissioners being still
 alarmed by threats, were obliged to secure
 themselves in a fortress called Castle William,
 situate on an island at the mouth of the har-
 bour.

9th June.
 Seizure of
 Hancock's
 sloop.

14th June.
 Town-
 meeting.

A town-meeting was next called, but the
 inhabitants of Boston participating in Han-
 cock's interest, presented a remonstrance to the
 governor against the seizure of the sloop, and
 requested

requested him to order the Romney to quit the harbour. The legislature beheld the proceedings with indifference, and took no measures for assisting the governor, or protecting the officers.

CHAP.
XIV.
1768.

IN consequence of these transactions, and of the representations made not only by the governor, but the commissioners of the customs to the ministry, troops were ordered to Boston, in aid of the civil power. A rumour of these orders having reached the inhabitants, they were filled with consternation and alarm: a town-meeting was held, and a petition presented to the governor, requesting him to call an assembly; he answered; "It was not in his power, as he had dissolved the late assembly by the king's command, to convene a new one without instructions; and the affair was under examination." This answer increased the resentment of the people, and afforded ample scope to the exertions of the factions: it was proposed to summon a convention; and to give efficacy to this new and bold resolution, they adjourned to the next day.

Troops ordered.

22th Sept.
Second town-meeting.

AT this meeting the most inflammatory language was held, and four persons nominated to represent Boston in the intended convention; one of whom was Hancock, the owner of the sloop. The select men of Boston were directed to write to the select men of other towns in the province, inviting them to a convention on the 22d of the same month. But the most flagrant measure was a requisition to the inhabitants to provide themselves with arms, ammunition, and accoutrements, in case of sudden danger. This order was founded on an obsolete law of the province: the motive assigned was the rumour of an intended war with France. They terminated

13th.
A convention resolved on.

CHAP.

XIV.

1768.

Prudence
of the in-
habitants
of Hat-
field.

minated the meeting in a manner characteristic of the spirit of their ancestors, by requiring the ministers of the town to set apart an early day for fasting and prayer.

IN consequence of these resolutions, a circular letter was written to all the towns in the province, in language perfectly correspondent with the temper and disposition of those who regulated the Boston meeting. All the towns, ninety-six in number, appointed committees to attend the convention, except Hatfield, to which spot it appeared all the loyalty and moderation of the province were confined. The inhabitants unanimously refused to send representatives to the convention, and protested against it as illegal. In a long and sensible letter to the select men, they denied the facts alleged as motives for the intended proceeding, and declared their loyalty to the king, and fidelity to their country; but expressed, at the same time, their firm resolution to maintain and defend their rights in every prudent and reasonable way, as far as was consistent with their duty to God and the king.

22d Sept.
Proceed-
ings of the
conven-
tion.

THE convention on their meeting, sent a petition to the governor, disclaiming every intention of performing authoritative or governmental acts: they were chosen, they said, by the different towns and districts, and met in that dark and distressing time to consult and advise measures for promoting the peace and good order of his majesty's subjects in that province. They repeated their complaints of grievances, and prayed that he would relieve them by calling a general assembly. When the three members, appointed to convey this petition, waited on Sir Francis Bernard, he declined receiving any message from the assembly

bly called a committee of convention, as that would be admitting its legality: he would not even sign the paper on which he wrote this refusal; but it was authenticated by those who received it from his hand. The next day a letter from the governor was read in the convention, in which, proceeding on a supposition that they might have assembled by the advice of some person ignorant of the criminality of his act, he admonished them to separate without transacting business, that they might not incur the penalties due to their disobedience. The convention sent another message by five gentlemen, which the governor, having sufficiently explained himself, and pointed out their danger, refused to receive. The members of the convention, disconcerted by this firmness, merely appointed a committee of nine persons to consider and report the most effectual method, consistent with the express design of their convening, to promote the peace and good order of his majesty's subjects. The committee having made their report, the convention drew up a petition to the king, and a letter, inclosing it, to their agent in London, and then dissolved.

23d Sept.

24th.

29th.

Arrival of
the troops.

THE troops arrived in Boston on the day which concluded the sittings of the convention; some difficulties respecting their lodging were obviated by hiring houses, to which the denomination of barracks was assigned, to prevent the establishment of a precedent for lodging soldiers in private habitations. The presence of the military for a time restrained the inhabitants within the bounds of order; the commissioners of the customs resumed their functions, and business followed its accustomed course.

CHAP.
XIV.

1768.
Tranquil-
lity of
New York.

NEW YORK, effectually intimidated by the suspension of their legislature, submitted to the terms imposed by the mutiny act, and the assembly was again allowed to sit. Tranquillity was restored, and confidence would, probably, have followed, but for the associations formed throughout the continent in consequence of the circular letter written by the assembly of Massachusetts Bay. These associations kept alive the flame of discord, and prepared for further exertions detrimental to the welfare of Great Britain."

Affairs of
Ireland.

IN 1767, a material alteration was effected in the constitution of Ireland, by the octennial act.

19th and
28th Dec.
1764.

DURING the vice-royalty of the earl of Northumberland,^o the lord primate and lord Shannon died.^p Before this event, lord Shannon's heir and successor had married the daughter of Mr. Ponsonby, speaker of the house of commons. Fortified by this connection, they imagined themselves sufficiently powerful to surmount every other party, and to awe the government. Their efforts during the administration of lord Halifax were productive of little effect, as the firmness and address of the lord lieutenant were superior to all machinations.

IN 1764, new attempts were made, to give to the house of commons the right of originating money bills. Mr. Pery made a motion for expunging from the journals the note to the lord deputy, dated the twenty-ninth of November 1614, by which the full operation

^o Stedman's History of the American War, vol. i. p. 63 to 68. Andrews's History of the American War, p. 81 to 91.

^p See chap. viii.

^q In December 1763.

of Poyning's law was recognized; and succeeded in obtaining a vote to that effect. The speaker, who had permitted this resolution to pass, being convinced, after a conference at the castle, of its impropriety, procured by his exertions the annulling of the whole proceeding; and the entry was declared an error of the clerk.

DURING the administration of lord Weymouth and the earl of Hertford,^a no material transaction took place: the patriots had so often repeated their complaints on the enormity of the pension list, that they no longer excited curiosity, or obtained attention. Resolutions were entered on the journals stating facts respecting pensions; but no measures were adopted to shew that they made any strong impression even on the movers.

1765-66.

THE increasing powers of the men of influence,^r at length induced government to alter the system with respect to Ireland. It was resolved no longer to abandon that kingdom to the government of the lords justices, but to make residence the duty of the lord lieutenant. This determination gave great satisfaction to the people, and proportionate alarm to those whose unpopular authority it was intended to abridge.

Lord lieutenant obliged to reside.

ONE of the principal measures from which the people expected their emancipation from the authority of the men of influence, was an alteration in the parliamentary constitution. The parliament of Ireland was, at this time, dissolved only by the death of the king, or by the exercise of his prerogative. A change by

Efforts to alter the constitution of parliament.

^a The earl of Bristol was appointed lord lieutenant in 1765, but did not go to Ireland.

^r More commonly called parliamentary undertakers. See Dr. John Waukinton's *Philosophical Survey of the South of Ireland*, p. 57.

CHAP.
XIV.

which the constitution should be made more nearly to resemble that of Great Britain, had occasioned many public meetings, and strenuous recommendations to parliament. The men of influence, though fully sensible of the diminution of their importance which must result, durst not venture an open opposition, but relied on the effects of intrigue and management to prevent, while they appeared to favour, the success of the measure.

DURING the present reign, continual efforts were made to obtain a septennial law : in the year 1761, the house of commons agreed to the heads of a bill for limiting the duration of parliaments, which was transmitted to England, but not approved. Even at that time the jealousy of the public was excited, and the people were led to believe, that their representatives sent the bill to England in the hope of its being altered, which would afford a pretence for rejecting it, without offending their constituents. To acquit themselves of this imputation, the Irish house of commons entered a resolution on their journals, expressly declaring the report to be void of foundation.

27th April.
1762.

Nov. 1765.

IN November 1765, the sheriff and commons of Dublin drew up a petition for a change in the system of representation; the lord mayor and aldermen refusing to concur in the measure, the sheriff and commons passed a resolution expressing disapprobation, and voted instructions to their representatives to use their utmost endeavours for limiting the duration of parliaments.

Feb. 1766.

IN February 1766 a bill for that purpose again passed the Irish parliament, but was rejected by the British cabinet. The news of this event

event exasperated the people of Dublin, and the sheriffs, and upwards of six hundred merchants and traders, presented an address to their representatives, in which, after complaining, in acrimonious terms, of the rejection of the bill, they directed their members never to assent to any money bill of a longer duration than six months, till a law should pass for a septennial limitation of parliament.

May 1766.

WHEN lord Chatham's administration was formed, lord Camden declared himself the advocate of a change in the representation of Ireland, but instead of a septennial, an octennial bill was recommended. Charles Townshend, chancellor of the exchequer, entered into the same views, and therefore obtained the lord lieutenancy of Ireland for his brother the marquis of Townshend.

July 1766.

LORD TOWNSHEND accepted the appointment, fully approving the new system, and determined to maintain the royal authority against all opposition. He was received with great demonstrations of joy and respect by the magistracy of Dublin, and in three days after his arrival, the lord mayor, sheriffs and commons, came to a resolution that to obtain a law for limiting the duration of parliament, under proper qualifications, would be of the highest advantage to the kingdom in general, and to the city of Dublin in particular, and that it would be advisable for the city to adopt all constitutional measures for procuring such a law.

11th Oct.
1767.

14th.

A BILL to that effect speedily passed the Irish parliament; and being sent to England, obtained the sanction of the crown. It was received by the people of Ireland, particularly

CHAP. the lower class of voters, with unbounded joy,
XIV. and the lord lieutenant was highly popular
from the share he had taken in facilitating so
desirable a measure.^s

^s Many of the above statements are derived from the periodical publications : the rest from private information.

CHAPTER THE FIFTEENTH:

1768 — 1769.

Retrospect of the transactions of the reign. — Conduct and disposition of the king. — His patronage of the fine arts. — Parliamentary censure on the magistrates of Oxford. — Wilkes's return to England. — He is elected member for Middlesex. — Meeting of parliament. — Proceedings against Wilkes. — He is committed to the King's Bench prison — rescued by the mob — surrenders. — Daily riots. — The soldiers fire on the people. — Increasing violence of the populace. — Sentence of the court of King's Bench on Wilkes. — Prosecution of Mr. Gillam, the magistrate by whose authority the military acted. — Resignation of lord Chatham. — Serjeant Glynn elected for Middlesex. — Meeting of parliament. — Wilkes's petition. — Various motions. — He is brought before the house of commons. — His complaints declared frivolous. — His letter to lord Weymouth, — who complains of a breach of privilege. — Wilkes expelled — His character. — His cause espoused by the freeholders of Middlesex. — He is re-elected — declared incapable of sitting. — Strenuously supported by the freeholders. — Meeting of merchants on the opposite side. — They are insulted. — Their progress to St. James's. — Wilkes again elected. — The election declared void. — Colonel Luttrell opposes him. — Wilkes returned. — The return altered. — Petitions of the freeholders. — Proceedings in parliament relative to America. — Debates on the conduct of the legislature of Massachusetts

Massachusset's Bay. — Debate on reviving an obsolete statute of Henry VIII. — Debate on the right of taxing. — Respecting Corsica. — Nullum Tempus act. — Arrears of the civil list discharged. — Agreement with the East India company. — Prorogation.

CHAP.
XV.

Retrospect
of the
transac-
tions of the
reign.

AT the dissolution of the first parliament called by George III, the aspect of affairs presented no consolatory views to his mind. The king, from the beginning of his reign, had manifestly sought the advantage and honour of his people; yet such were the effects of a constant and acrimonious opposition, that not only the prudence of his measures, but the purity of his intentions, was doubted. At his accession he found a large portion of his subjects, conspicuous both for property and talent, excluded from all share in the government, and by an affected stigma rendered incapable of enjoying confidence, or rendering service to the crown. He relieved them from this proscription, and sought, by abolishing party and national distinctions, to reign, indeed, king and protector of all his people. This measure, so wise and just in itself, was productive of endless feuds and jealousies. Every introduction of a new servant or family, occasioned dissatisfaction and disgust: the disappointed formed new parties, avowed new principles, and sought by every device to distress and impede the operations of government. Thus so many successive ministries, who assumed the direction of public affairs, were all feeble and inefficient, while no single opposition was in itself strong or respectable. Every leader of a party commanded his share of influence, which, joined to the influence resulting from ministerial situation, was sufficient

sufficient to procure a majority. But the parliament itself, delivered to so many opposite leaders, making laws in one session, repealing them in the next; affirming a principle at one period, and retracting it at another; lost much of the respect and confidence which ought to flow from the people to their representatives.

THE king's benevolence was conspicuous in every act which he performed or sanctioned. He found the country at war: it was the first wish of his heart to restore the blessings of peace. In pursuit of this object, he made no sacrifice of the national honour, but raised the glories of the country by a campaign of matchless vigour and success. From this circumstance resulted much of the obloquy thrown on the peace: the prosperous progress of the British arms inspired exaggerated hopes, and many who affected to deplore the miseries of war, decried the peace because it was not founded on principles which would have furnished an unanswerable motive for future aggression.

AGAINST the private life of the king, calumny itself could not discover an objection. Vice of every kind was not only unpractised, but discountenanced at court; and it was not possible to survey without an accumulated sense of respect and admiration, the first personage in the realm, the most conspicuous in the performance of every social law, and the most happy in the interesting centre of a domestic circle.^a

CHAP.
XV.

Private
character
of the
king.

^a It may be proper here to mention the state of the royal family at this period. Besides the prince of Wales, whose birth is already mentioned, the king was parent of Frederick bishop of Osnaburgh, since duke of York, born 16th August 1763; William Henry, now duke of Clarence, born August 22d, 1765; Charlotte Augusta Matilda, now dutchess of Wirtemberg, born 29th September 1766; prince Edward, now duke of Kent, born 2d November 1767; and the princess Augusta Sophia, born 8th November 1768.

CHAP.
XV.

His patronage of the arts

THE king was a patron, and liberal encourager of the polite arts, and anxious to give them a permanent establishment in Great Britain. At an early period of the reign, lord Bute asserted, from his own knowledge, that rewards would never be wanting, provided proper subjects occurred, worthy of the royal protection^b; and the institution of the royal academy displayed at once the king's judgment, spirit, and patriotism.^c

Uneasiness in consequence of opposition.

NOTWITHSTANDING, however, his blameless life, and constant exertions to deserve the affection of his subjects, the king was not happy. The unceasing efforts of opposition in every part of his dominions, and the success which attended those insidious and baleful endeavours, deprived him of a great portion of tranquillity. His firmness, fortunately, prevented him from relinquishing a mode of conduct which his judgment led him to adopt; but although he was enabled to break the firm established phalanx, which, while it supported, obscured the throne, the struggle was attended with many painful circumstances.

Deaths and separations in the royal family.

17th Sept.

1767.

13th May

1768.

EVEN in his own family those feelings which proved the source of his enjoyments, gave also a poignancy to his grief. The death of his brother the duke of York, a brave and meritorious youth, and of his sister the princess Louisa Anne, occasioned great affliction; and although the marriage of the princess Carolina Matilda to the king of Denmark, while it strengthened the protestant interest, promised to increase the king's happiness, yet the splendid festivals

^b Letter from lord Bute to lord Melcombe, 28th May 1761. In this letter was inclosed a sum of 200l. for a worthy literary character in distress.

^c See Appendix.

which

which pervaded the capital, could not assuage the pain of separation from such a beloved relative.

CHAP.
XV.

As it was certain that parliament would be dissolved at the end of the session, great efforts were made to obtain an influence in the approaching general election. No art of corruption was left untried: advertisements appeared in the public prints, offering premiums for seats in the legislature; and the magistrates of the city of Oxford even demanded from their representatives, Sir Thomas Stapleton and the honourable Mr. Lee, a sum of money as the price of their re-election. This demand being made during the session, the members very properly preferred their complaint to the house. The magistrates were taken into custody; but as, by their petition, it appeared they were not actuated by selfish motives, their only view being to obtain money for the reimbursement of some expences sustained by the corporation, they received only a reprimand from the speaker on their knees, and were discharged.^d

Efforts
previous to
the general
election.

9th Feb.
1768.

ALL England was agitated by the tumults incident to a general election, but particularly London and Middlesex, on account of the re-appearance of John Wilkes: he quitted England under circumstances so disgraceful, that his offer to represent the metropolis, or the county which includes the metropolis, was an incalculable effort of impudence, while the support he received seems to have flowed from an unprecedented source of popular delusion.

Wilkes re-
turns to
England.

WHEN Wilkes found it necessary to leave his native country, he repaired to France; on

Retrospect
of his con-
duct.

^d Debrett's Debates, vol. iv. p. 511.

his

CHAP.
XV.
1768.

his arrival, he asserted that he was deputed ambassador to Constantinople, but he soon relinquished that pretence, and professed an inclination to reconcile himself with the ministry, and return to England.^e The appointment of the Rockingham administration flattering him with hopes of success, he repaired to London in May 1766, and opened a negotiation with the friends of the marquis; but as he could not obtain protection from them, nor place his outlawry in a train of reversal till November, he again went to France. In the course of that summer lord Chatham's administration was formed, and Wilkes, conceiving new hopes, solicited in earnest and abject terms, the duke of Grafton's interference with the king.^f This application being rejected, Wilkes, neglected and forgotten, remained in exile till the approaching dissolution of parliament drew him to England.

He is candidate for London.

10th Mar.

22d.

IN his retirement, Wilkes reflected with anger on his repeated mortifications, and his spirit was inflamed to that degree of virulence which made him brave every danger, and defy every appearance of decency, in declaring himself a candidate to represent the city of London. In his address to the livery, he claimed credit for his attachment to liberty, and presented his contests with government on the two questions respecting general warrants, and the seizure of papers, as titles to protection and encouragement. As the outlawry was still in full force, to prevent his being apprehended he wrote to the solicitor and deputy solicitor of

^e Lord Orford's Works, vol. v. p. 121.

^f See the letter dated 1st November 1766, A. R. vol. ix. p. 182, and a subsequent letter to the duke of Grafton, dated 12th December 1766, published by Almon.

the treasury, pledging his honour as a gentleman that he would personally appear in the court of King's Bench on the first day of the ensuing term.^g

CHAP.
XV.
1768.

WILKES was not chosen for London, but the populace sympathizing in his disappointment, and anxious to shew their zeal in his cause, took the horses from his carriage, and drew it through the city. He immediately presented himself as a candidate for the county of Middlesex, and was returned by a large majority.^h His friends, the populace, on this occasion, testified not only their joy, but their resentment, by breaking the windows of lord Bute's house, and of the mansion house; the air resounded with the cry of 'Wilkes and Liberty,' and those who refused to join in it were beat and insulted.

But rejected.

28th Mar.
Is returned
for Middle-
sex.

THE new parliament met according to the return of the writs of summons, and Sir John Cuth was again chosen speaker. The only business transacted was a continuation of the statutes respecting grain; and a motion that the proper crown officer might report to the house why the laws were not immediately put in force against John Wilkes, an outlaw, when he returned to England in February.

10th May.
Meeting of
parliament.

WILKES was at this period already in custody. He appeared in the court of King's Bench according to his promise, and in a long speech complained of all the transactions in his case, but left the discussion of points of law to

Proceed-
ings
against
Wilkes.
20th April.

^g It was also said that he addressed a sensible and humble petition to the king, imploring pardon; but this fact is not sufficiently authenticated. See *Gentleman's Magazine*, 1768, p. 140.

^h The numbers were, Wilkes 1292, Cooke 827, Sir William B. Proctor, 807. *History of the Boroughs*, 8vo. 3 vols. vol. ii. p. 223.

CHAP.

XV.

1768.

He is committed.

27th.
Rescued
by the
mob.Surrenders
himself.

Riots.

Daily repeated.

10th May.
Dangerous
tumult
near the
King's
Bench prison.

his council. The attorney general moved for his commitment; cause was shewn against it, and a writ of error prayed. The judges censured both motions, as Mr. Wilkes was not properly before the court, and refused to commit, or admit him to bail. A writ of *capias attagatum* was at length issued, and as no precedent could be found of a person in his circumstances being delivered to bail, he was ordered into custody. The populace, however, reversed the decree of the court; they stopped the coach in which he was proceeding, took off the horses, and dragged him through the city to a public house in Spital-fields, where they kept him till eleven at night, when he made his escape, and surrendered himself to the marshal of the King's Bench. The next day a mob assembled near the prison, pulled up the rails which inclosed the foot-way, and made a bonfire. At night they compelled the inhabitants of the Borough to illuminate; but at midnight were dispersed by a detachment from the guards.

From this period a tumultuous meeting was daily held at the King's Bench prison, and many outrages committed in various parts of the town. These proceedings alarmed government, and they were properly on their guard against the prevalence of the riotous disposition so forcibly displayed.

ON the day of the opening of parliament, an immense multitude assembled in St. George's Fields, expecting that, by virtue of his privilege, their favourite would be liberated, and take his seat in the house. They demanded him at the prison with loud outcries, and soon grew extremely tumultuous. The justices, attempting to read the riot act, were assailed with stones and

and bricks; great pains were taken to induce the people to disperse, but in vain: the drums beat to arms, and the military assembled in great numbers, but the rabble persevered in their riotous behaviour, and even assaulted them. Some soldiers pursued a man who had been forward in maltreating them to some distance, and shot him dead in an out-house belonging to his father. The youth's name was Allen, and it was alleged that he was a mere spectator of the transactions of the day, and had, by mistake, been singled out instead of some other person. Meanwhile the riot increasing, and every effort to restore tranquillity proving ineffectual, the soldiers received the word of command, and fired; five or six persons were killed, and fifteen wounded.

CHAP.
XV.
1763.

A youth
killed.

The sol-
diers fire
on the peo-
ple.

THE mob was dispersed; but inexpressible rage prevailed against the soldiery. The regiment happened, unfortunately, to be principally composed of Scotchmen, which gave additional violence to the popular resentment. The coroner's inquest brought in a verdict of wilful murder against the soldier who shot Allen, and implicated another private, and Alexander Murray, esquire, the commanding officer, as accessories. The principal, Donald MacLane, was conveyed to prison, and the populace were with difficulty restrained from tearing him to pieces. The king, with great propriety, protected and sanctioned the proceedings which gave a timely check to this daring spirit of licentiousness, and returned thanks to the commanding officer for his prudence and resolution.

Rage
against the
military.

11th May.

Nothing could exceed the frenzy of indignation which prevailed in the public mind; riots of the most dangerous nature were daily excited.

Increasing
violence of
the people.

CHAP. excited. Harley, the lord mayor, being already obnoxious to Wilkes's party, for his
XV. conduct while sheriff, in burning the North Briton, the mansion house was frequently assailed by mobs, and at length it was found requisite that a guard should be constantly stationed there.¹ A most audacious and treasonable paper was stuck on the walls of St. James's palace, and another of similar purport found on the back stairs. All was terror, confusion, and alarm, and under the mask of patriotism, treason was actively employed; combinations were formed by workmen, coalheavers, watermen, and labourers in the metropolis, and in different parts of the country; the civil arm seemed too weak to restrain the general spirit of licentiousness, which, actuated by a designing leader, or stimulated by a real cause of complaint, would have produced a total dissolution of social order.

8th June.
 Sentence
 of the
 court of
 King's
 Bench on
 Wilkes.

WILKES's case was argued in the court of King's Bench, and the outlawry against him reversed; but the verdict was affirmed, and on a subsequent day he was sentenced to be imprisoned for two years, computed from the time of his arrest, to pay two fines of five hundred pounds, and find two securities in five hundred pounds each for his good behaviour for seven years.

Prosecution of Mr. Gillam.
 7th July.

THE spirit of revenge against all who appeared to support government in the late proceedings, was carried to the greatest excess. Gillam, the magistrate who authorized the guards to fire, and disperse the mob, was indicted for murder. On his trial, the attorney and solicitor

11th.

¹ Three persons were tried at the Old Bailey in July, for being engaged in those violences, breaking the lamps, and assaulting the lord mayor; two of them were found guilty, and sentenced to twelve months imprisonment in Newgate.

general appeared as his counsel, but no exertion on their part was necessary; the jury acquitted him on the evidence for the prosecution. A bill was also presented to the grand-jury of the county of Surry, against Maclane the foldier, and the two other persons implicated in the coroner's verdict: after a deliberation of thirteen hours, they found a true bill against Maclane only, who was tried and acquitted.

CHAP.
XV.
1768.

8th Aug.
And of
two sol-
diers.

9th.

LORD CHATHAM saw with dissatisfaction many of the late ministerial proceedings; he was displeased with their conduct respecting America; indignant at the tranquillity with which his colleagues suffered the French to possess themselves of Corsica, and in many other respects discontented; he also felt great repugnance at seeing his name connected with men and measures so generally unpopular, and determined to resign. He would not even attend at court to announce his resolution, but sent the privy-seal by lord Camden. This event was not unexpected. Lord Bristol was appointed in his stead; and as lord Camden still continued chancellor, no material alterations took place.*

Resignation
of lord
Chatham.

15th Oct.

2d Nov.

THE tumultuous disposition of the electors of Middlesex might probably have subsided, had not a new contest renewed the fermentation. Mr. Cooke, Wilkes's colleague, died; Sir William Beauchamp Proctor, the unsuccessful candidate at the late election, again offered himself; and was opposed by Serjeant Glynn, who being the constant legal defender of Wilkes, was highly popular. Sir William lost the election:

Serjeant
Glynn
elected for
Middlesex.
5th June.

8th Dec,

* Life of lord Chatham, vol. ii. p. 24.

CHAP. during its progress, a man was killed in a riot,
 XV. begun by some chairmen employed by his
 1768. party. As Sir William was understood to be
 a candidate on the court interest, this event
 excited the greatest indignation: two chairmen
 were apprehended, tried at the Old Bailey, and
 found guilty. The populace, animated with
 the desire of vengeance, when the verdict was
 pronounced, testified their joy by shouting
 and clapping of hands; but their fury was
 not gratified in the expected victims; for after
 being respited for a short time, they obtained a
 pardon.¹

3th Nov.
 1768.
 Meeting of
 parliament.

IN his speech to parliament on the first day
 or the session, the king mentioned with satis-
 faction the pacific disposition of the con-
 tinental powers, adverted to the rebellious spi-
 rit which prevailed in Massachusetts Bay, and
 recommended harmony and union. The ad-
 dresses were strenuously opposed, but carried.

Wilkes's
 petition.
 14th.

WILKES's affair early engaged the house
 of commons: a petition was brought up by
 Sir Joseph Mawbey, in which all the pro-
 ceedings against him since the year 1763 were
 briefly recited, and the justice of the house
 was claimed in redressing his grievances: fun-
 dry motions ensued; the proper officers were
 directed to lay before the house a copy of
 the proceedings in the court of King's Bench;
 and a day being appointed for taking these
 matters into consideration, it was ordered
 that due notice should be given to Wilkes,

Proceed-
 ings there-
 on.

¹ They were afterwards prosecuted with unceasing resentment
 for other murders committed on the same day, but acquitted.

and to several other parties who might appear as witnesses. Among them was Mr. Webb, late secretary to the treasury, who being in the petition accused of highly improper conduct, requested an opportunity of vindicating himself, and he was allowed to be heard either in person or by counsel.

CHAP.
XV.
1768.

BEFORE the petition was discussed, a motion made for the purpose of ascertaining whether a member convicted of publishing a libel was intitled to privilege, was debated with much acrimony, and at length decided in the negative. At the time appointed for considering his petition, Wilkes being brought before the house in custody, objected that, by an act of parliament, he could not legally appear there without taking the oaths; but this objection was overruled. On a subsequent day, he took exception to the word blasphemous, used in describing the Essay on Woman; which, after a long debate, was expunged. The evidence in support of the petition, substantiated only the undenied fact, that lord Mansfield had altered the record of his indictment the day before the trial. It was clearly demonstrated that the practice of altering records in the manner complained of was ancient, and supported by numberless precedents from the beginning of the law books to that period; and on a solemn argument of the same objection in Westminster Hall, the practice had been confirmed by all the judges. The petition accused Mr. Webb of bribing, with the public money, one Curry, Wilkes's domestic, to steal the Essay on Woman; but this charge was not proved. A vote of severe censure was moved, but afterwards modified into a declaration

23d Jan.
1769.
Motion respecting privilege.

27th.
Wilkes brought before the house of commons.

31st.

1st Feb.
His complaints declared frivolous.

CHAP. tion that the aspersions in the petition were
XV. frivolous.

Wilkes's
letter to
lord Wey-
mouth;

ANOTHER complaint against Wilkes was immediately presented. Lord Weymouth, the secretary of state, having in the preceding year written to the magistrates of Surry, recommending them no longer to permit tumults to assume so dangerous an aspect, but to make early application for a military force in aid of the civil power; the letter came into Wilkes's possession, and he published it, with an inflammatory and insulting comment, denominating the affair in St. George's Fields a horrid massacre, and the consequence of a hellish project, deliberately planned. Lord Weymouth complained to the house of lords of a breach of privilege; and the printer of the newspaper acknowledging that he received the letter from Wilkes, a conference of the Lords and Commons was held; Wilkes, at the bar of the lower house, triumphantly avowed the publication, and claimed the thanks of the country for having exposed, in a proper light, "that bloody scroll."

who com-
plains of a
breach of
privilege.

2d.

3d
Wilkes
expelled.

THE house being thus in full possession of the necessary evidence, a motion for his expulsion^m was made, and after a strenuous debate, carried by a considerable majority."

Observa-
tion.

IN all the proceedings against Wilkes, from

^m The motion was in these words: "That John Wilkes, Esq. a member of this house, who hath, at the bar of this house, confessed himself to be the author and publisher of what this house has resolved to be an insolent, scandalous, and seditious libel, and who has been convicted in the court of King's Bench of having printed and published a seditious libel, and three obscene and impious libels, and by the judgment of the said court has been sentenced to undergo twenty-two months imprisonment, and is now in execution under the said judgment, be expelled this house."

* 219 to 236.

the

the moment of his return to England, the ministry displayed great want of judgment and prudence, but in this measure their errors were peculiarly manifest. On his arrival in the month of February his outlawry was in full force; had they then issued against him a writ of *utlagatum capias*, he would have been legally in custody during the period of the election, and thus prevented from influencing, personally at least, the public proceedings at that crisis. Such a measure could not apparently have created a division in the cabinet, since even lord Chatham was attacked in the letter to the duke of Grafton with no less virulence than the duke himself. But if they were resolved not to add to the weight of Wilkes's misfortunes by enforcing his punishment, and content to incur the risque arising from his popular opposition to their measures, the most prudent proceeding would have been to influence the king to comply with, or even anticipate Wilkes's petition, by a free pardon. He could then no longer pretend that he was a martyr in the cause of liberty, nor would the excesses of the populace have been sanctioned by any plausible allegation of a grievance. By taking Wilkes into custody after his election, and when his popularity was so firmly established, they placed the king in direct opposition to a great portion of his subjects, and exposed the nation to all the mischiefs and ferments arising from such a contest. In arguing the merits of his petition, the ministry were guilty of a great error: it claimed no particular notice, made no specific demand, and might, with great propriety, have been left to lie on the table. In expelling him the house,

CHAP.

XV.

1769.

their conduct was unjustifiable; it might be legal, but a ministry in a free country, can never support themselves by an appeal to the letter of the law; they must also do what is expedient, and even gracious to the people. In this instance, they manifested no less feebleness than rancour: as if afraid that they were not fully justified in expelling him in consequence of a complaint from the other house, the motion was loaded with extraneous facts; reciting an offence for which he was expelled by a former parliament, and others for which he was then suffering the sentence of the law; and even alleging that sentence and those sufferings against him as new crimes.

Character
of Wilkes.

THROUGH the medium of Wilkes some important popular questions were discussed, and it was fortunate for the country that such an individual was found. The points ascertained by his means, are of the highest consequence both to liberty and government; and Wilkes was, in every respect, the most proper man to act the part assigned to him. Too enterprising to be despised, too frivolous to excite permanent apprehension, he was ever ready to engage in such acts as required the interference of the law, and always sufficiently subtle to make his errors popular, and his vices venial. Too magnanimous to be actuated by terror, and too venal to resist proffered advantages, he was a fit champion for the people, till his views were answered, but so open to gratification as never to be permanently dangerous. His avowed vices precluded him from the esteem of the virtuous; and thus his popularity, however apparently extensive, could never give alarm to a strong and well combined

bined ministry. It would have been wise to let him take his seat without resistance, for as his oratorical talents were not above mediocrity, he would soon have sunk into disregard, and his writings, ceasing to claim attention as the effusions of an injured patriot, would have been rated at their just value, and fallen rapidly into obscurity.

His interests were warmly and eagerly espoused: at a meeting of the freeholders at Mile-end, his re-election was recommended. Alderman Sawbridge enforced it by observing, that if once the ministry should be permitted to say whom the freeholders should not chuse, the next step would be to tell them whom they should chuse; he was accordingly re-elected without opposition.

14th Feb.
His cause
espoused by
the free-
holders of
Middlesex.

16th.
He is re-
elected.

THIS indication of the popular resolution to support their favourite, might have taught the ministry the inutility of further resistance, and induced them to submit with a good grace; but, on the contrary, they now appeared to consider the credit and authority of government at stake, and to have resolved that the question should be prosecuted to all extremities. On the day succeeding Wilkes's re-election, lord Strange moved, "That having been expelled, he was incapable of being re-elected to serve in that parliament." In support of this doctrine, it was alleged that Robert Walpole having been expelled the house, and re-elected for Lynn, the commons declared his incapacity. The members in opposition made many distinctions between Walpole's case and Wilkes's. Walpole was at the time of his re-election actually in the tower, for the crimes which occasioned his expulsion, and

17th.
Declared
incapable
of sitting in
parliament.

CHAP.
XV.
1769.

a rival candidate appeared at the election, so that the terms of the precept could be complied with; and the matter was taken up in the house, not on the mere return of the writ, but on the petition of his opponent. Should the dangerous precedent, that a member once expelled is incapable of re-election to the same parliament, be established, it might be carried to an indefinite extent. "There is one *worst* man in the house;" Mr. Dowdeswell humourously observed, "turn him out. Is there not now a *worst* man left? turn him out too. In short, when will you stop? You have turned one out for impiety and obscenity;—when half a dozen members meet over a convivial bottle, is their discourse intirely free from obscenity, from impiety, or abuse of government? Even in the cabinet, that pious, re-forming society; were Mr. Wilkes there to be adjudged, and the innocent man to throw the first stone, they would flink out one by one, and leave the culprit uncondemned." In more serious argument it was stated, that a man might be expelled for a libel, but on trial in a court of law, be found innocent; what must be the consequence? is that person never to be re-elected? or what amends could he receive for his expulsion? But, say the ministry, parliament will never expel a member but for a just cause. When a ministry are invested with the powers of judges, woe to their opposers.—The question was carried in the affirmative by a large majority.

Wilkes
strenuously
supported.

IN consequence of this measure, the popularity of Wilkes increased, and he was conti-

dered the object of a vindictive persecution.^p Another meeting at Mile-end resolved again to support him, and the most enthusiastic sentiments were expressed in his favour.

CHAP.
XV.
1769.
22d Feb.

ALL attempts to oppose the prevailing spirit were ineffectual. A meeting was called at the King's Arms tavern in London, for the purpose of presenting a loyal address to the king; but the adherents of Wilkes were so numerous and formidable, that those who convened the meeting were obliged to leave the room to the other party, who by their speeches and resolutions totally perverted and turned to ridicule the original intent of the meeting. Those who first convened it, however, prepared an address, which they left at a public office over the Royal Exchange for signatures. In their progress to present this paper at St. James's, they were assailed with violence and insult: a hearse preceded them, with paintings representing the death of Allen, and the murder at Brentford; the coaches were stopped, and those in them were beat, pelted with mud, and many obliged either to desist from their intention, or proceed to St. James's by private ways. The hearse still preceding the few who remained, attempted to pass into the court yard, but was resisted by the guard; the mob persevered in their outrages, even within the walls of the palace; two were secured by the intrepidity of lord Talbot, and fifteen by the military.^q The whole spectacle must have been

Meeting of
merchants.
8th Mar.

They are
insulted by
Wilkes's
party.

22d.
Their pro-
gress to St.
James's.

^p A subscription was opened for his benefit at the London Tavern, (20th February), which supplied a sufficient fund to pay his fines, and to leave an ample residue for his future support.

^q It is a remarkable fact, and shews how general was the extent of

CHAP.

XV.

1769.

been truly mortifying and distressing to the king, as it evinced the dangers to which his subjects were exposed in presuming to display sentiments of loyalty and affection.¹

16th Mar.
Wilkes
again
elected.

A second election took place at Brentford, and Mr. Dingley, the principal promoter of the meeting of merchants at the King's Arms tavern, appeared for the purpose of opposing Wilkes, but he was so ill-treated by the mob, that by the advice of his friends he retired before the nomination, and Wilkes was declared duly elected for want of opposition, although Dingley, in a letter to the sheriffs, protested against the proceedings of the day. The house of commons, on the motion of the chancellor of the exchequer, again declared the election null and void.

17th.
The elec-
tion declar-
ed void.

Colonel
Luttrell
opposes
Wilkes.

A new writ being issued, colonel Luttrell, son of lord Ingham, vacated his seat, and declared himself a candidate for Middlesex. This conduct was considered so rash and dangerous, that policies of assurance on his life were opened at Lloyd's Coffee-house.² Wilkes's friends adopted their usual measure of calling a meeting at Mile-end, and entered into strenuous resolutions to support his cause. The house of commons, apprehensive of riots, ordered the sheriffs to take the necessary measures for preserving the peace, by appointing an additional number of constables.

20th.

7th April.

13th April.
Election.

THE election was conducted with the utmost

of faction spirit at this period, that the grand-jury for Middlesex refused to find bills of indictment against these men.

¹ No express authorities are cited for these facts; they form the contents of all the diurnal registers in the periodical publications, to which reference may be made by the dates in the margin: particularly the Annual Register, and Gentleman's Magazine.

² History of the Boroughs, &c. vol. ii. p. 233.

order,

order, although a violent and outrageous mob occupied the roads to Brentford in every direction, and compelled all passengers to shout "Wilkes and Liberty," and to permit his badge, Number 45, to be chalked on their cloaths and carriages. The numbers on the poll producing a majority for Wilkes of eight hundred and forty-seven,¹ the sheriff returned him duly elected. A motion however was made in the house, and after being debated with great vehemence, and no small ability, for two days, an alteration of the return was ordered by a majority of fifty-four.² The freeholders of Middlesex presented a petition against this alteration, and were heard by counsel, but the house confirmed its previous resolution by a still greater majority.³

CHAP.
XV.
1769.

Wilkes returned.

The return altered, 14th and 15th.

29th.
Petition of the freeholders.
8th May.

THE recent transactions in America produced great debates, and strong measures. The business was forcibly adverted to in the king's speech, and afterwards introduced to the house by a motion for an address that all letters patent, charters, and commissions, subsisting and in force relative to the American colonies, with copies of all orders and instructions given to any officers civil or military, in regard to their government, should be laid before parliament. This motion was negatived, as was another on the same day for copies of all letters and affidavits received since the first of January 1766.

Proceedings in parliament relative to America.
Dec. 1768.

AFTER the recess, a committee of the whole house was formed, to whose inspection a large quantity of papers was submitted. A petition

15th and 20th Jan. 1769.
Petitions.

¹ Wilkes 1143, Luttrell 296.

² 197 to 143.

³ 221 to 152.

CHAP.
XV.
1769.

was tendered from Massachusetts Bay, and one from an individual named William Bolla: the former was received under the express stipulation that it should be considered merely as the act of individuals, and not of a body, since the council had lost their collective character by dissolution; the other petition was rejected.

Resolu-
tions.

THE house then, in a committee, entered into a general discussion of the American transactions. The lords had already voted certain resolutions, reciting historically the acts both of the people and legislature of Massachusetts Bay; and an address to the king, praying that he would direct the governor of that colony to transmit the names of the persons most conspicuous in commencing illegal acts, since the 31st of December 1767, to one of the secretaries of state; and would, if the information received appeared to afford sufficient ground for such a proceeding, issue a special commission for trying the offenders in Great Britain, according to the provisions of the statute 35th Henry VIII.

Debates on
the con-
duct of the
legislature
of Massa-
chusetts
Bay.

AN animated debate ensued on the question, whether the committee should concur in the resolutions and address. Both the right and expediency of taxing the colonies were ably argued; and the particular acts of the legislature of Massachusetts Bay during the last year, were strongly arraigned and defended. Governor Pownall, who fully understood the affairs of America, and had been entrusted with the chief command in Massachusetts Bay, defended the proceedings of the colonists, and denied that the riots on the seizure of Hancock's sloop could have been prevented by the council and
assembly.

assembly.⁷ With respect to the calling of a convention; he admitted that if the select men of Boston had issued writs,² it would have been an usurpation, if not treasonable: but that, by the laws of their country, confirmed by the crown, they were authorized to write letters desiring other towns to appoint committees to convene with their committee. He maintained that although a convention of states would have been treasonable, a convention of committees was warranted by law, and their proceedings highly commendable. The conduct of governor Bernard was warmly defended; and after a long debate, which was carried on with great earnestness on both sides, the resolutions and address were agreed to.

ANOTHER discussion arose on the same subject, when the report of the committee was presented to the house. Governor Pownall again distinguished himself in opposition to the resolutions and address: he entered at great length into the constitutions and charters of the different provinces of America, and contended against the right of internal taxation: he dwelt with great force on the impolicy of urging the Americans to acts of resistance; depicted, with truth and precision, the spirit which animated the inhabitants of Massachusetts Bay, and warned the ministry against giving a spring to their fanaticism, and urging them to quit their native characters of husbandmen and merchants, to display their

2th Feb.

⁷ Admitting this to be true, which is not exactly so, they could have afforded protection to the custom house officers, or have taken measures for effectually punishing the insurgents; neither of which was done.

² This expression was found in the resolutions when first sent down from the lords, but the words "writing letters," were substituted on a motion for an amendment.

CHAP.
XV.
1769.

energy in acts of resistance, "that spirit," he said, "which led their ancestors to break off from every thing which is near and dear to the human heart; from every connection which friendship, relation, blood could give; which led them to quit every comfort that a settled and civilized country (their own native country) could afford, and to encounter every difficulty and distress which a wild wilderness of savages could oppose to them, to struggle even for their existence; that spirit, equally strong, and equally inflamed, has but a slight and trifling sacrifice to make at this time; they have not to quit their native country, but to defend it; they have not to forsake their friends and relations, but to unite with and to stand by them in one common union. The only sacrifice they have to make is that of a few follies, and a few luxuries. Necessity is not the ground of their commerce with you, it is merely the affectation of your modes and customs, the love for home, as they call England, that makes them like every thing which comes from thence; but passion may be conquered by passion, they will abominate as sincerely as they now love you; and if they do, they have within themselves every thing requisite to the food, raiment, or dwelling of mankind, and have no need of your commerce." He then described the resources of the Americans, and the facility with which they could obtain all necessaries without applying to England. In conclusion, the governor gave this sane and prudent advice: "Do nothing which may bring into discussion questions of right, which must become mere articles of faith. Go into no innovations in

"practice,

“ practice, and suffer no encroachments on go-
 “ verment. Extend not the power which you
 “ have of imposing taxes, to the laying internal
 “ taxes on the colonies. Continue to exercise
 “ the power, which you have already exercised,
 “ of laying subsidies, imposts, and duties, but
 “ exercise this as you have hitherto done, with
 “ prudence and moderation, and directed by the
 “ spirit of commercial wisdom. This spirit
 “ and mode of government will cement again
 “ that union which is shattered, if not quite
 “ broken; restore that spirit of obedience,
 “ which the loss of authority on the one
 “ hand, and of affection on the other, has inter-
 “ rupted; and will re-establish the authority as
 “ well as force of civil government, which has
 “ almost lost its force by losing its authority.
 “ Exert the spirit of policy that you may not
 “ ruin the colonies and yourselves by exertions
 “ of force.”

THE resolutions and address were carried, but amendments being made, were sent back to the lords for their assent. This gave rise to a motion to re-commit the address; and the proposal to revive the obsolete statute of Henry VIII. came more particularly under discussion. The intention was reprobated with great ability by captain Phipps,^a who proved that the statute was not, as described, a tyrannical act; but, on the contrary, one of the least exceptionable acts of a tyrannical reign. It was made before the existence of the American colonies, and was intended to secure to the king's trans-marine subjects at Boulogne, and other places, that

Resolu-
 tions car-
 ried.

Debates on
 reviving an
 obsolete
 statute.

^a Afterwards lord Mulgrave.

CHAP.
XV.
1769.

benefit of which, if revived, it would deprive the Americans; namely, the trial by jury. He proved that an American, brought to England for trial, could have none of the advantages which the law intends to secure to every one; he could not, with any effect, challenge jurors, whose characters and connections were unknown to him; he could not avail himself of the assistance of counsel, to whose abilities and fame he might be a stranger; and no process could issue to enforce an appearance of witnesses from the other side of the Atlantic. "But, should the culprit, with all these disadvantages, escape;" said captain Phipps, "and indeed I do not see how it can happen otherwise, for the act of the thirty-fifth of Henry VIII, is for treasons committed out of the realm, and the twenty-fifth of Edward III, makes levying war within the realm treason; so that whether America is in or out of the realm, it cannot be within the letter of both these acts, and I hope there is no latent, obsolete statute, teeming with constructive treason, to be brought forth against these men;—should they, I say, after all be acquitted, what reparation can be made to an ingenuous mind for so foul an imputation as disloyalty? What reparation can be made to men dragged from the endearments of domestic life, brought from the land of liberty, flowing with milk and honey, to drink at the bitter fountain of oppression? Will they return less possessed of the confidence of their fellow-subjects, and less inclined to abuse it? Will they return less convinced of the inconveniences of a dependent state, or less solicitous to shake off the yoke from this new outrage?"

Mr.

Mr. GREY COOPER assured the house that no intention was entertained of putting the act in execution, but the address was moved merely to shew the Americans what government could do on an emergency. The motion for a re-commitment was lost by a great majority.^b

CHAP.
XV.
1769.

THE house was again engaged on American affairs, in consequence of a representation from New York, denying the right of parliament to tax them. Lord North opposed the reception of this paper; which induced colonel Barre to observe, "That he had predicted, on passing the stamp act, what would happen, and feared he could now prophecy further troubles; if the people were made desperate, finding no remedy from parliament, the whole continent would rise in arms, and perhaps those provinces be lost to England for ever." Some remarks were made on the unproductiveness of American taxes, and the enormous expence attending the collection. Mr. Grenville said, "There was no medium; we must either resolve strictly to execute the revenue laws in America, or with a good grace abandon our right, and repeal the declaratory and revenue laws." Burke answered, there might be and was a proper medium; the right of taxing was undoubted, but a minister ought to be well convinced of the expediency before he attempted to enforce it. The representation was not received. At a late period of the session, May, governor Pownall moved to repeal the revenue acts affecting North America; and supported his motion by a long and able speech, but as the discussion of such an important question

14th Mar.
Debate on
the right
of taxing.

^b 161 to 65.

CHAP.

XV.

1769.

17th Nov.

1768.

Debate re-

specting

Corfica.

would protract the rising of the house to a very advanced period, it was postponed till the next Session.

THE transfer of Corfica to France was an early topic of debate, but produced no interesting remark, or useful information. A motion for the correspondence between the British and French ministry, and for instructions and other papers, introduced a discussion on the value of the acquisition. The opposition maintained, that every accession of power to France was dangerous to this country; and as great attention had been paid for so many years to maintain a proper equilibrium in the powers of Europe, the invasion of that island by France ought to have been considered as a violent breach of treaty, and subversive of that equilibrium. It was replied, that Corfica was a place of no importance, destitute of a good harbour, and an acquisition that would prove rather an evil than a benefit to France: but at all events, loaded as we already were with debt, folly and madness alone could impel us to engage in a war for an object of so little consequence. The motion was rejected.

Nullum
Tempus
Bill.

THE Nullum Tempus bill of last session was passed; and on the motion of governor Pownall, its benefits were extended to America.

28th Feb.

1769.

Arrears of
the civil list
discharged.

A message from the king announced a deficiency in the revenue of the civil list, by which he had been compelled to contract debts, amounting to five hundred and thirteen thousand five hundred and eleven pounds, which he requested the house would enable him to discharge. A motion being made for papers to account for this deficiency, they were promised by the ministry, but on condition that the king's request should not be delayed, as the papers

papers could not be readily prepared. After three days of warm debate, the report of the committee was received, and the sum granted.

AN advantageous agreement with the East India company was concluded for five years, during which term they were bound to pay four hundred thousand pounds a year, and to export a certain quantity of British goods. They were at liberty to increase their dividend within that time to twelve and a half per cent. provided the increase in any one year should not exceed one per cent.: a deduction from the sum payable to government, proportionate to any decrease of dividend which necessity might compel, was allowed, and if the dividend should be reduced to six per cent. then the payment to government was to cease; but any surplus of the company's cash remaining in England, after payment of certain specified debts, was to be lent to the public at two per cent.

CHAP.
XV.

1769.

2d Mar.
27th Feb.
Agreement with
the East
India com-
pany.

THESE were the principal parliamentary transactions of the session, which was terminated by a speech from the throne of considerable length: "It gives me great concern," the king said, "to be obliged to recommend to you, with more than ordinary earnestness, that you would all, in your several counties, exert your utmost efforts for the maintenance of public peace, and good order. You must be sensible that whatever obstructs the regular execution of the laws, or weakens the authority of the magistrate, must lessen the only security the people can have for the undisturbed enjoyment of their rights and liberties. From your endeavours in this common cause, I promise myself the most salutary effect: on my part, no countenance or

Prorogation.
9th May.

CHAP.
XV.
~~~~~

“ support shall be wanting ; for as I have ever  
“ made, and ever shall make, our excellent  
“ constitution the rule of my own conduct, so  
“ shall I always consider it equally my duty  
“ to exert every power with which that consti-  
“ tution has entrusted me, for preserving it safe  
“ from violations of every kind ; fully con-  
“ vinced, that in so doing I shall most effec-  
“ tually provide for the true interest and hap-  
“ piness of my people.”

CHAPTER THE SIXTEENTH:

1766—1770.

*Affairs of India. — Conduct of lord Clive. — State of the company's possessions. — Mode of letting lands. — Reform attempted. — Difficulties of the company. — Mismanagement in India. — Immense exportation of bullion. — Gold coined. — Regulation of inland trade. — Lord Clive returns to England. — Account of Hyder Ally. — His enmity against the English. — The nizam of the Deccan declares war — but is compelled to make peace. — Progress of the war with Hyder Ally till the peace. — Effects of the war. — Alarm in England. — Depreciation of India stock. — Supervisors appointed. — Claims of government. — Final adjustment. — Perturbation of the public. — Middlesex petition. — London petition. — Publication of Junius's Letters. — His libel on the king. — Beckford elected lord mayor. — Affairs of Ireland. — Augmentation of the military establishment. — Money bill rejected. — The lord lieutenant's protest. — Sudden prorogation of the Irish parliament.*

**L**ORD CLIVE displayed the utmost judgment and prudence in framing and enforcing a system of economy in India, which tended to promote the interest, and replenish the coffers, of his employers. But the vigour and resolution with which he exerted himself against the peculations of inferior officers, drew on him virulent censures, and his conduct was arraigned with unusual severity. It was peevishly alleged that

CHAP.  
XVI.  
1766.  
Conduct  
of lord  
Clive.

CHAP.  
XVI.  
1766.

his reforms were not thought of till his own fortune was made, and had the same rigid principles, which he was now inclined to put in practice against his inferiors, been enforced to the prejudice of his interests, he would never have acquired that wealth which many contemplated with envy, and few considered as the reward of equivalent services. He was accused of arrogance in assuming to himself the merit of the late pacification: the successes which enabled him to make so good terms, were all obtained during his absence, and he arrived only in time to sanction measures, which, without his interference, would have been equally well arranged.<sup>a</sup>

State of the  
company's  
possessions  
in India.

THE acquisition of an extensive and important territory, abounding in the means of wealth, promised an ample and gratifying return, both to the company and their servants; but they were too precipitate in their speculations. The riches of that part of India are the produce of laborious industry, encouraged by habitual moderation, and a facility of subsistence. The late revolutions, and the feebleness and vices incident to the government of the nabobs, had exhausted and impoverished the country. The lands which fell into the hands of the company by the late treaty, could not be immediately let to advantage; and the necessity of intrusting inferior agents with a too great portion of authority, encouraged abuses.

Mode of  
letting  
lands.

THE mode of letting lands in India, was unfavourable to cultivation, and ill calculated to produce benefit to the owners. The lands ceded by Mir Cossim were let, in 1762, by pub-

<sup>a</sup> See letter from Messrs. Leycester and Gray to the court of directors, 29th September 1765, with a parliament speech, and several other letters published by authority. Transactions in India, p. 59.

lic auction to the best bidders, for the short term of three years. Needy adventurers, without character or integrity, outbid the old farmers, who having offered the utmost value according to a well formed judgment, were obliged to relinquish the habitations they had long tenanted, and the fields they had long cultivated. The new possessors were enabled, by the plunder of those whom they ejected, to pay the first year's rent according to agreement, but afterwards had neither the means nor the inclination. The natives who took large tracts of land under such disadvantageous circumstances, could not afford to encourage the inferior farmers by loans of money, according to the practice of former times: and without such assistance, even the implements of husbandry were wanting. A considerable portion of the renters, incapable of fulfilling their engagements, applied for a discharge in the second year, glad, by foregoing their whole property, to obtain relief from their unprofitable contracts. Thus, under a nominal increase of revenue, the company suffered a deficiency of real product; and as the demands of ministry, and their stated expences, required vast supplies, they were obliged to impose an unprecedented tax on the bazee zemen, or charity lands.

Its effects.

A BETTER administration of the territorial property being indispensibly necessary, a strict scrutiny was made into the nature of several tenures. It was discovered, that bidders had been found for little more than two fifths of the lands, and that the most beneficial of these were held in different names by officers of the company, and by Gentoo agents acting clandestinely for Europeans. The remainder of the lands in the immediate tenure of the govern-

Reform attempted.

CHAP.  
XVI.  
1766.

ment, fell under the care of collectors, who oppressed the people, and accounted, in a most dishonourable manner, to their employers. The farmers, anxious to retrieve some part of the property which had been taken from them by the hand of rapacity, offered, on condition of receiving a small proportion of the spoil, to lay open all the frauds of the collectors: the first object of the select committee was to remove the oppressive and unjust landholders, and to find good tenants in their stead: this was easily accomplished; for even at a bad season, substantial natives were willing to take farms on equitable terms, consenting at the same time to pay any general tax imposed on the whole province. The officers of government were also obliged to relinquish the farms which they had clandestinely obtained, or to forego their offices. Thus each individual reaped the benefits of his own labours; the lands became highly cultivated and improved, and the net receipts from the demesnes subject to these beneficial regulations, were largely augmented.

Discon-  
tents and  
com-  
plaints.

THESE measures, however wise and salutary in themselves, created innumerable enemies to the government. Every officer who returned home, or corresponded with his friends, taught disappointment to assume the language of philanthropy and patriotism, and, considering himself the victim of reform, began to point out faults in the conduct of those who occasioned his complaints. From the reports of these people, and the eagerness of proprietors to realize advantages which they thought were injuriously withheld, the directors had been driven to declare an increased dividend.

Difficulties  
of the  
company.

THE revenues expected from India would in time have justified their measures; but some delays

delays were necessary: the government of the English was new, and their acquaintance with the territory, genius, and resources of the inhabitants, incomplete. No leisure was allowed to perfect their knowledge, or give beneficial effect to their projects. The stated demands of the mogul, the nabob, and the army, the increased dividend voted by the proprietors, and the sums stipulated to be paid to the treasury, formed such a mass of engagements, and required such eager and unremitting exertions to obtain supplies, as, in the end, proved highly prejudicial: and the disputes between the company and their servants breaking out into mutual criminations, afforded means of cavilling to the enemies of the establishment. The great information which was thus afforded of their conduct and proceedings, gave so many plausible topics of censure, that their defence always failed of making a due impression; and the too great eagerness of parliament and the proprietors to derive immediate advantages from the acquisitions in India, produced many events which moderation and temperance might have prevented.

THESE circumstances occasioned a large investment to be made by the company, or in other words, large orders to be sent for the manufactures of the country, while the price was increased by a competition with the French and Dutch, who now began to dispute a priority and preference in the market. The method of obtaining these supplies or investments, had hitherto been by contracts with certain merchants, who advanced to the labourers such sums as were necessary for their subsistence during the performance of their tasks. Without

Mismanagement  
in India.

CHAP.  
XVI.  
1766.

out this accommodation, they would often be unable to procure even the first materials. The merchants were sometimes not sufficiently opulent to lend all the monies required for these purposes, and as the demands of the company were urgent and immense, the government at Calcutta thought it consistent with their interest to afford those supplies, and enter into contracts with the manufacturers, who must else have remained unemployed. This measure, though sufficiently prudent in appearance to justify the experiment, was not attended with the desired success. A government seldom makes contracts which are advantageous in the detail, and frauds are practised on them without scruple, which an individual would feel repugnance in attempting towards his equal. Thus the Indian manufacturers, after receiving the sums advanced by the board, would, unless strictly watched, sell the commodities for which they had contracted to other persons. The necessity of employing vigilance, demanded the service of numerous gomastahs, or agents; and these men were necessarily entrusted with extensive powers, which they often perverted; and the authorities given to prevent fraud, became a source of oppression. The influence of these agents proved so destructive of industry, that the board reverted to the old practice of contracting with merchants.

Immense  
exporta-  
tion of bul-  
lion,

THE increasing investments of Great Britain and other nations, together with the China trade, which was at that time intirely carried on in bullion, contributed greatly to drain Bengal of current specie. In five years next succeeding the grant of the Dewannee, the sums exported by the English company only, amounted to one million two hundred and eighty-

eighty-four thousand and eight pounds sterling, and from the year 1757 to the year 1766, when a gold coinage was commenced, Bengal had lost, by deficiency in the unusual imports of bullion, and by the exportation of silver, more than eight millions sterling. In vain the select committee represented this alarming fact to the court of directors, and requested them to find means of alleviating the growing distress: the directors, assailed by opposition, and urged by government, were unable to apply their attention to so remote an object; perhaps too they, like others, were deluded by a belief in the inexhaustible riches of Bengal, and did not give full credit to the informations which reached them: thus the exportation of bullion still continued.

To supply the deficiency occasioned by this constant drain on the silver of Bengal, the select committee found it necessary to establish a gold coinage for their immediate purposes. But as gold was not the usual currency of the country, the habits and prejudices of the natives opposed the easy reception of it in payment: it could not be made use of in the China trade, or exported to advantage: proper measures were not taken to insure its purity, and therefore it was often suspected, and frequently much deteriorated in value: still necessity enforced the use of it as a circulating medium; and the exchange always against the possessor, by its various fluctuations in different parts of India, gave birth to a dangerous traffic, which increased the distress of the company. Silver at the same time rose in value, because native officers were constantly employed in preserving that coinage unadulterated, who melted down the rupces once in three years. Thus the introduction of gold coin, instead of facilitating

CHAP.  
XVI.  
1766.

ing commerce, and rendering the transaction of business more pleasant, introduced additional inconveniences, and engendered new disputes.

Regulation of the inland trade.

ANOTHER regulation adopted by lord Clive and the select committee, related to the inland trade. The insolence and injustice with which this traffic had been conducted, formed a principal ground of the quarrel between the council and Mir Cossim; and when, after the arrival of lord Clive, the select committee proposed to revive the inland commerce in salt, tobacco, and beetel nut, it is not surprising that the directors expressed their unqualified disapprobation of the measure. After the interchange of several letters on the subject, they agreed to permit it for some time, but afterwards expressed a total disapprobation. By the projected monopoly, the necessary article of salt was reduced in price to the consumer, while great benefits accrued to government from an augmentation of the revenue; nor was the native exposed to insolence, injustice, or extortion. The supposed ordinary effect of monopoly, that of producing scarcity, was not to be apprehended in this case, because the advantage of the monopolists did not consist in raising the price of a small quantity, but in dispersing a large quantity at a reasonable rate. The article could, without difficulty, be increased to any amount, and the greater the sale, the more ample was the revenue to government, and the more abundant the profit and the praise of the council. Tobacco and beetel nut, do not appear so much in the light of necessaries, but such is the effect of habit among the Indians, that these two luxuries are considered no less indispensable than salt, or even food itself. While the monopoly of these articles remained in the hands of persons

sons appointed by, and under the superintendence of the council; while an immense capital excluded all mean and narrow views; the supplies were abundant, and the distribution general and easy: but when the order of the court of directors arrived for the discontinuance of this trade by the council, it fell into the hands of individuals, whose interests were different, and whose modes of conduct were also essentially dissimilar. Their object was to produce the greatest possible profit from the smallest imaginable capital, and therefore to take advantage of the wants and desires of individuals, and even of bodies; to alarm by factitious scarcities, and reduce the quantity of all these articles, that at a less expence in superintendence, carriage, and duties, they might secure an equal or superior return.

ON receiving the company's orders, lord Clive carefully excluded their servants from any share in a traffic, which he foresaw would become a source of endless iniquities: he had before relinquished his share in the benefits of the trade, and now endeavoured to restrain all abuses which might ensue from Europeans embarking in it, with too much avidity. His efforts were not attended with the desired success; but he did not continue in India to witness their failure. His health was impaired, and his life in imminent danger from a late illness. He had completed to the utmost of his power the object of his mission, and returned to England not enriched, but five thousand pounds less opulent for his expedition. Mr. Verelst was for a time his successor.<sup>b</sup>

CHAP.  
XVI.  
1766.

Dec. 1766.

Prudent  
conduct of  
lord Clive.

He returns  
to Eng-  
land.

Jan. 1767.

<sup>b</sup> For these particulars reference has been had to Verelst's View of the English Government in Bengal, with the Appendix; the papers published by authority; and the History of Transactions in India.

## CHAP.

XVI.

1767.

Account  
of Hyder  
Ally.

Soon after lord Clive's departure, hostilities were again commenced between the British and the natives, in consequence of the intrigues and turbulence of a newly created potentate. Hyder Ally, or Hyder Naick, was son of Fatty Naick, an officer of distinguished bravery, who commanded a thousand musket men in the service of Abdul Rassoul Khan, nabob of Sirpi, a government bordering on the kingdom of Mysore. Fatty Naick was slain in an engagement between the nabob of Sirpi and Cuttulich Khan, subah of the Deccan. Hyder Naick, thus left an orphan in his earliest years, disclaimed every other pursuit, and devoted himself intirely to military duties. At the age of twenty-five he appeared in the army of Carraforee Nanderauze, brother-in-law to the king of Mysore, at the head of about three score men, and assumed the name of Hyder Ally. The discipline of his small troop, and his own judgment and valour, were so conspicuous, that in three or four years, he found himself enabled to raise five hundred sepoys, armed and equipped in the European manner, and two hundred horse, with a small train of artillery. His force was less respectable in point of numbers, than of military science; they were formed by his own care, and exactly instructed in the European tactics. His activity and judgment in using all the advantages with which he was supplied by fortune, aided by an ambitious and treacherous disposition, enabled him, after a series of contests, intrigues, and treasons, to depose his sovereign, and assume the government of Mysore. This event took place in 1763. Hyder Ally, invested with sovereign authority, pursued his conquests till he added several other demesnes to his usurped territory.

FINDING

FINDING the British power a strong restraint on the native princes, and an insurmountable barrier against his further encroachments, he resolved to excite all the country powers whom he could influence to commence hostilities; and began by prevailing on the nizam of the Deccan to forego his connection with the company, to enter into alliance with him, and declare war against the English.

CHAP.  
XVI.

1767.

His comi-  
ty against  
the Eng-  
lish.

The nizam  
of the Dec-  
can de-  
clares war.

THIS combination was soon formed, but the council of Madras were prepared to meet it with vigorous opposition. Colonel Smith was detached, at the head of a respectable force, to encounter the allies. He engaged them at Errour, near Trinomaly, and, notwithstanding an immense superiority of numbers, and the personal bravery and judgment of Hyder Ally, routed them with great loss. The nizam of the Deccan, no longer apprehensive of his ally, concluded a peace with the company, and ceded to them the Dewannee of the Balagat Carnatic, which included the territory of Hyder.

They are  
defeated.

26th Feb.

The nizam  
makes  
peace.

BUT the vigour and valour of that prince were not subdued by one reverse of fortune: he retired to his own dominions, and prepared to carry on a protracted war in an inaccessible country. The English fitted out a squadron from Bombay against Mangalore, one of Hyder Ally's principal sea ports; took the fort with inconsiderable loss, and brought away nine large vessels, besides several smaller, but from an injudicious anxiety to retain their acquisition, left a few soldiers to garrison the fort, who were all subsequently captured.

Capture of  
Manga-  
lore.

25th Feb.  
1768.

COLONEL SMITH proceeded in pursuit of the enemy, but could not bring him to another engagement. He penetrated into his country, took several fortresses, and was advancing to-  
wards

Error of  
the English  
command-  
der.

## CHAP.

## XVI.

1768.

Sa-acious  
conduct of  
Hyder Al-  
ly.

wards the capital, when his attention was called to other objects by a masterly manœuvre of Hyder Ally. That prince taking advantage of the error which Smith had committed, in proceeding so far from his own territory, by a judicious and dexterous plan of operations, got between the English forces and the Carnatic, which he ravaged at pleasure. The company's troops, now obliged to turn their attention to the defence of their own dominions, and those of their allies, abandoned all their conquests, and hastened to meet Hyder Ally, who, indulging his ancient animosity against Mahommed Ally Khan, nabob of Arcot, was committing unbounded depredations in his country. Eager to defend so faithful and honourable an adherent of Great Britain, colonel Smith used every effort to bring Hyder to a general engagement; but that cautious adversary, justly appreciating the superiority of European tactics, would not risk a conflict: no majority of numbers, no advantage of opportunity, could for a long time tempt him to try his fate in the field.

Failure of  
the British  
at Mul-  
waggle.

4th Oct.  
Engage-  
ment be-  
tween co-  
lonel  
Wood and  
Hyder Al-  
ly.

At length colonel Wood, with a small detachment, being repulsed in an attack on a fort called Mulwaggle, Hyder with fourteen thousand horse, twelve thousand matchlocks, and six battalions of sepoy, attempted to cut off his retreat. Although colonel Wood had only four hundred and sixty Europeans, and two thousand three hundred sepoy, he felt no hesitation in assailing the enemy. The engagement was obstinately contested, and lasted from eleven o'clock in the forenoon, till five in the evening. The field was alternately won and lost several times, but at length the superiority of

of British discipline decided the victory; and Hyder Ally retreated, leaving the ground covered with dead. The English lost a few officers, and about three hundred privates were killed and wounded. Several officers were also taken prisoners, and two pieces of cannon fell into the hands of the enemy.

CHAP.  
XVI.  
1768.

HYDER ALLY, undaunted by this defeat, again availed himself of his superior cavalry, and leaving the British army in the Carnatic, proceeded to the neighbourhood of Madras. The presidency, sensible of the ruinous consequences attending the warfare, and apprized that Hyder was forming an alliance with one of the Mahratta princes, offered a negotiation for peace. The continuance of war was not more desirable to the Indian than to the English; whatever temporary success might crown his arms, he was sensible that it was not in his power to make any impression on the fortresses of his enemy, and that, while at a distance from his own territories, he was exposed to the dangers of insurrection and revolution. In his treaty for peace, he displayed the same judgment as in the conduct of the war: he refused to accede to a proposed truce for fifty days, which would afford time for the English to collect new forces; but agreed to equitable conditions, when proposed within a limited period. The forts and places captured, were restored, and no compensations received on either side for the expences of the war. The treaty of peace was attended with an alliance offensive and defensive: stipulations were entered into for mutual aids, and a free trade established.<sup>c</sup>

<sup>c</sup> Robson's Life of Hyder Ally. Transactions in India.

CHAP.  
XVI.1768.  
Observa-  
tion on the  
conduct of  
the war.

THUS terminated a war in which the English acquired neither glory nor advantage. The conduct of it was rendered difficult, and the efforts of skill and valour were restrained, by the appointment of field deputies, an office unknown in the English service. These deputies attended the army, and regulated its motions; they were interested in the contracts, and therefore supposed to be more intent on private emolument than the public good; they protracted the war, embarrassed the genius, and restrained the operations of the commanders. Many brave officers retired in disgust, several who remained served without spirit, and some preferring to seek their fortunes in another service, went over to the native princes. This disgust and indifference proved of more advantage to Hyder Ally than numbers, discipline, or valour; it enabled him to retrieve his affairs, and compel the British government to sue for peace.

Effects of  
the war.

THE consequences of this war were incalculably injurious to the affairs of the company. The presidency of Madras, unable alone to support the expences, were obliged to draw on the council at Calcutta for supplies. The money remitted from Bengal, during the depreciation of coinage, occasioned additional difficulties; an immense loss ensued from the enhanced rate of exchange, and the possessors of silver which could not be adulterated were so tenacious, that very few rupees were in circulation. The distress introduced by these means was so great, that the investments could no longer be made from Madras to China, and the want of specie concurred with the dread of the enemy to suspend the labours of the manufacturers. In this crisis,

a new subject of alarm arose in Sujah ul Dowlah, who was augmenting and disciplining his forces; but a deputation from the council at Calcutta, sent to examine into his conduct, easily induced him to disband a great part of his troops, and enter into a compact not to increase them beyond a certain stipulated number.

GREAT alarms were excited in England by the apparent danger of the company's affairs; those who recently contemplated India as a never failing source of riches, and as a territory sufficiently opulent to provide for all the exigences of Great Britain, now considered it as a precarious, and perhaps unprofitable tenure. The distance of the country, and uncertainty of information, aggravated the horrors of apprehension, and produced sensations of despair. India stock fell in a few days sixty per cent. Under these circumstances, the directors thought it necessary to send out new commissioners, whom they called supervisors, with authority to examine and rectify the concerns of every department, and a full controul over all their servants in India. This important trust was confided to three gentlemen who had already filled high situations in India; Mr. Vansittart and Mr. Scrafton having distinguished themselves in civil employs, and colonel Ford in the military service.

Alarm in  
England.

May 1769.  
Depreciation of India stock.  
14th June.  
Supervisors appointed.

STILL the usual party disputes prevailed in the India house, and great debates arose, not only on the nomination of supervisors, but on their powers. These differences were scarcely terminated, before the proceedings of the court of directors were further embarrassed by a claim of the ministry, that a servant of the crown should be allowed to take a principal share in

Disputes in  
the India  
house.

Claim of  
government.

CHAP.  
XVI.  
1769.

27th July.

11th Aug.  
Correspondence on  
the subject.

30th Aug.  
Final ad-  
justment.

22d Aug.

Perturba-  
tion of the  
public.

17th April,  
1768.

the direction of their affairs. This demand was made in consequence of an application from the court of directors to government, to permit the employment of a naval force of two ships of the line, and some frigates, in their service. This petition not being immediately acceded to, was enforced by a request sanctioned by the whole body of proprietors at a general court.

AN answer was received from lord Weymouth, in which he pointed out some objections in law to the commission of the supervisors, and requested that it should be re-considered; and that the naval officers sent out by government should have unlimited power to regulate all maritime affairs. The jealousy of the court against any attempt to incroach on their authority, on one hand, and their dread of losing the advantages to be derived from a strong naval force, on the other, occasioned numerous and violent debates, and a long correspondence between the directors and the secretary of state. At length a compromise was effected, and Sir John Lindsay, the admiral appointed by government, sailed for the gulph of Persia, with full powers to make peace and war in Persia only. The supervisors departed in a ship belonging to the company.

THE allusion in the king's speech, at the close of the session, to the perturbed state of the public mind, was strongly founded in fact; for at no period of history was exhibited in a regular government, a more general, audacious, and clamorous opposition. Before the rising of parliament, a letter was received by the speaker of the house of commons, enumerating supposed incroachments on the liberties of the people, and threatening another revolution.

CHAP.  
XVI.  
1768.

tion.<sup>d</sup> Every artifice was used to increase the fury of the public, and incite them to make the privilege of petitioning, reserved by the bill of rights, the means of giving pain to the king, and conveying sentiments of disloyalty to the foot of the throne. Among the engines used to forward the views of faction, and keep alive the irritability of the populace, was Allen, the father of the unfortunate youth who was killed in the riot in St. George's Fields. A tomb-stone was erected, inscribed on all sides with inflammatory narratives, verses, and texts from the holy scripture, describing his fate in acrimonious terms, and invoking vengeance on his murderers.<sup>e</sup> The parent was also induced to attend at St. James's with a petition, which, in terms of reproach and clamorous invective, demanded justice against "The cruel murderers of his beloved child, "whose blood cried aloud for vengeance."

THE rage of publishing disloyal proclamations, under the form of petitions, was now general. The county of Middlesex took the lead in these transactions. Fifteen hundred and sixty-five freeholders signed a petition, which was presented to the king, containing a series of aspersions on his conduct from the period of his accession, accusing the ministers of treason, and praying for their dismissal. The citizens of London adopted a similar measure, and made their conduct still more conspicuous by altercations with the secretary of state, and lord Huntingdon, on points of etiquette. Their petition was an abstract of that from the county of Middlesex, with some additions, and

Middlesex  
petition.

24th M.

London  
petition.

<sup>d</sup> Gentleman's Magazine, 1769, p. 213.

<sup>e</sup> See Annual Register, 1769, p. 116.

CHAP.  
XVI.  
1768.  
5th July.

was presented to the king at a levee. The electors of Westminster petitioned for a dissolution of parliament, and their example was followed by many counties, cities, and towns throughout the kingdom. Some few addresses of an opposite tendency were presented.

Publica-  
tion of  
Junius's  
Letters.

21st Jan.  
1769.

AMONG the most conspicuous of those whom the rage of political discussion engaged in publications, was an anonymous author, who sent his productions to a newspaper, under the signature of Junius. His essays commenced with the present year, and, with occasional interruptions, continued till the beginning of 1772. In him the ministry found a severe and formidable censor: his information was extensive and minute, and applied to many objects which were supposed to be secret. He detailed, without scruple or delicacy, all the facts in his possession, and often supplied a deficiency of information by bold conjecture or shameless fiction. His writings were distinguished by energy of thought, perspicuity of style, felicity of images, and brilliancy of wit: but his wit was scurrilous and malignant; wounding, without remorse, the honour of a gentleman, the feelings of a father, and the dignity of the sovereign. Although he made personal topics the principal vehicles of his satire, his knowledge was not confined to mere anecdote, but comprized a general acquaintance with the laws and constitution of the country, the history and usages of parliament. Junius was long the admiration of England, but perhaps his talents were too highly valued. Many political writers before him had possessed his advantages; and whatever opinion may have been studiously diffused respecting his knowledge, wit, and eloquence, in these requi-  
sites

sites he did not excel the great party champions of the late reign, Bolingbroke, Pulteney, and Chesterfield. The secrecy in which he effectually involved his real person, was highly advantageous to him as a writer. It furnished him with the opportunity of declaring such sentiments as would be agreeable to the public, without reference to any opinions he might previously have entertained, and enabled him to assail men in every rank and condition of life, without possibility of retaliation, or dread of inquiry. Those who answered, presented a full mark to his assaults, and their principles, manners, professions, and even their habits, were unsparingly attacked, while he remained impassive to reproach, and exempt from the necessity of defence. Perhaps too, much of the curiosity and eagerness with which his publications were received, resulted from this circumstance. A series of satires presented for so long a period, from one pen, would have ceased to excite regard, had any circumstance respecting the author been known. Those who by his conversation could have learned his sentiments, by his connections could have divined his motives, or from his pursuits have explored his means of information, would soon have become languid readers, and the sensation of indifference, spreading from several quarters, would have extended to a general disregard, perhaps to contempt. Even with all the advantages he possessed, Junius, in order to stimulate the public curiosity, was occasionally compelled to assume a tone of brutal ferocity, which reduced his compositions to a level with those of the most profligate libellers, and sanctioned the imputation of a motive for concealment, very remote from an honourable love of freedom in the declaration of his opinions.

## CHAP.

XVI.

1769.  
19th Dec.  
His libel  
on the  
king.

ANXIOUS to gratify to the utmost that licentious disposition on which the success of his productions in a great measure depended, this writer thought fit to address to the public, through his accustomed channel, a most virulent attack on the person, conduct, and government of the king, and threatened general dissatisfaction, rebellion, and revolution, as the result of the present measures. By this letter, the printer, and several others who re-published it, incurred the penalties of the law; but the popularity of the author was not diminished by the audacity which impelled him to the verge of treason.

Beckford  
elected lord  
mayor.

WITH a view to embarrass government, the city of London resolved again to nominate Beckford lord mayor. An attempt was made to prevent his election, by referring to some bye laws of the corporation, passed in the reigns of Henry VI and Henry VIII, by which it was declared that the same person could not serve the office of lord mayor twice within seven years; but this objection was overruled by precedents: Beckford declining the proposed honour, was clamorously urged by the livery, and at length agreed to accept it. Lord Holland, who had been grossly reflected on, in the late petition of the livery to the king, wrote to the late lord mayor, requesting to know the author of the aspersion: the livery now passed resolutions avowing the intention to apply those accusations to lord Holland, and recommending to their representatives to procure his impeachment.

29th Sept.

10th Oct.

Affairs of  
Ireland.

WHILE such was the temper of the public mind in England, Ireland was not more tranquil or contented; the octennial act, from which so many beneficial effects were expected;

was

was no longer an object of exultation than while it was recent. The great expences attending elections were severely felt; the constant residence of the lord lieutenant, which now first became a part of his duty, gave offence to many who found their power and influence diminished, and a strong opposition was speedily formed. The addresses, in answer to the speech on opening the session of parliament, were loyal and voted without much opposition in either house. Encouraged by this appearance, government ventured to attempt augmenting the military establishment from twelve thousand to fifteen thousand two hundred and thirty-five men. The battalions on the British establishment consisted, at this period, of five hundred and twenty-nine men each; those on the Irish establishment, of no more than three hundred and twenty eight. In consequence of this disproportion, whenever an Irish regiment was ordered on foreign service, it became necessary, previously to its departure, to complete its numbers by drafts from other Irish regiments; a mode of proceeding equally mortifying and dispiriting to the officer and the private, and extremely detrimental to the service. To remedy this inconvenience, it was now proposed to decrease the numbers on the British, and augment those on the Irish, establishment. By the new plan, instead of thirty battalions of infantry, twenty-seven only were to be maintained: five in their turn were to be always employed on foreign service; the remaining twenty-two, which, together with the cavalry, would amount to twelve thousand men, were to remain for the protection of Ireland. It was also proposed to establish a regular rotation of the infantry, who

CHAP.  
XVI.  
1769.

17th Oct.  
Augmen-  
tations of  
military  
establish-  
ment.

should

CHAP. should relieve each other in their respective  
 XVI. situations throughout the king's dominions.  
 1769. A bill to this effect had been brought into a  
 former parliament, but miscarried: it now came  
 recommended by an earnest message from the  
 lord lieutenant, and although a strong opposi-  
 tion was still made, ultimately passed.

Money bill  
 rejected.

1st Nov.

IN another effort the opposition party was  
 more successful: a money bill had, according  
 to the usage established for near four-score  
 years, originated and been framed in the privy  
 council. It was returned from England under  
 the great seal, and read in the house of com-  
 mons. On the second reading, the bill was re-  
 jected, after a strenuous debate;<sup>f</sup> and the reason  
 expressly assigned by the house was, its not hav-  
 ing originated with them. Yet to shew, as they  
 said, that they were not actuated by a factious  
 or innovating spirit, they liberally and uncon-  
 ditionally provided for the exigencies of go-  
 vernment. The rejected bill only supplied  
 three months expenditure; but they passed an  
 act which allowed a fund for two years, and  
 amounted to two million one hundred and  
 sixty-eight thousand six hundred and eighty-  
 one pounds.

Lord lieu-  
 tenant's  
 protest.  
 26th Dec.

THIS proceeding did not atone to the lord  
 lieutenant for the invasion of the royal autho-  
 rity by the rejection of the former bill. In a  
 speech to both houses, after returning thanks for  
 the ample supplies, he condemned, in terms of  
 strong reproach, the rejection of the money bill  
 sent from the privy council, and asserted that they  
 had violated the law, and intrenched upon the  
 just rights of the crown; he made, in full par-  
 liament, a protest against the resolution of the  
 commons, by which they claimed that money

bills should originate with them; requesting the clerk of the house of lords to read his protest, and that it should be entered on the journals of the lower house.

CHAP.  
XVI.  
1769.

THE lord lieutenant's displeasure was not unknown before he declared it in parliament, and both houses prepared to meet it with adequate resistance. In the house of lords a motion was made, that directions be given to the speaker, not to suffer a protest of any person, who was not a lord of parliament, to be entered on the journals. But the question was overruled by a large majority, and consequently the lord lieutenant's protest was recorded. At the conclusion of his speech, the parliament was prorogued; but the commons, on returning to their own house, forbade their clerk to enter the speech, which they had just heard, on the journals, as it implied a protest against a proceeding in which they were determined to persevere.

Proceed-  
ings there-  
on.

Proroga-  
tion of the  
Irish par-  
liament.

THE sudden prorogation of parliament at a period when they had done no business, except voting supplies to government, excited much resentment. The temporary laws which related to so many important objects were all expired, and the regulations of trade, the public security, the supply of the capital, and the public charters, were left in an unprovided state: consternation, distress, and discontent were loudly expressed in all quarters, and the whole kingdom was in confusion and disorder.

Inconve-  
niences of  
the mea-  
sure.

## CHAPTER THE SEVENTEENTH:

1770.

*Meeting of parliament. — King's speech. — Address opposed by lord Chatham. — Supported by lord Mansfield. — Lord Chatham's reply. — Speech of lord Camden. — Address opposed in the house of commons — but carried. — Second debate. — Strength of opposition. — Conduct of lord Camden — his dismissal. — Mr. Yorke appointed lord chancellor — his death — and character. — Great seal put in commission. — Motion in the lords for a committee on the state of the nation. — The marquis of Rockingham's speech. — Answer of the duke of Grafton. — Lord Chatham. — Total change of ministry. — Lord North's ministry. — State of the nation debated in the house of commons — in the house of lords. — Committee dissolved. — Motion of the earl of Marchmont, affirming that the house of lords had no right to interfere in the decisions of the house of commons. — Supported by lords Mansfield and Egmont. — Opposed by lord Chatham. — Altercation respecting the official conduct of lord Camden. — Vindicated by lord Chatham. — Lord Marchmont's motion carried. — Bill for regulating the consequences of expulsion — withdrawn. — Turbulence of the city of London. — Proceedings of the common council and livery. — Their remonstrance to the king. — Delivered to him on the throne. — His answer. — Proceedings in parliament. — Address of both houses. — Remonstrances of Westminster and Middlesex. — Wilkes liberated. — Lord Chatham's bill for reversing the*

*the decision of the house of commons in his case. — Debates on it — Rejected. — Lord Chatham's motion on the answer to the London remonstrance. — Debate. — Motion rejected. — Lord Chatham's motion for a dissolution of parliament. — Rejected. — Mr. Dore's motion to disqualify revenue officers. — Rejected. — Law for annulling the protections granted by peers to their servants. — Lord Mansfield's speech in support of the measure. — Mr. Grenville's bill for deciding petitions on controverted elections. — Inquiry into the civil list. — Petition from American merchants. — Repeal of duties, except on Tea. — Debate. — Act passed. — Motion for papers — for examination of the instructions to governors. — Motions in the lords. — Prorogation.*

WHEN the British parliament assembled, the king, in his speech, mentioned the affliction he felt at being obliged to acquaint them that the distresses of the subject were likely to be augmented by a distemper, which had recently appeared among the horned cattle\*; but, by the advice of the privy council, he had used his best efforts to stop the progress of the contagion. He observed that the great burthens already imposed on his subjects, by the necessity of bringing the late war to a prosperous conclusion, made him vigilant to prevent the present disturbances in Europe, from extending to those places where the security, honour, and interest of this nation might make it necessary for him to become a party; and that he had great hopes of maintaining the country in

CHAP.  
XVII.

9th Jan.  
1770.  
Meeting of  
parliament.

\* This speech was unsparingly ridiculed in the public prints, and the session was nick-named the *horned-cattle session*.

peace.

CHAP.  
XVII.  
1770.

peace. He adverted with regret to the dissatisfactions still prevailing in America, and the combinations tending to destroy the commercial connection between the colonies and the mother-country. In conclusion he recommended both houses to avoid heats and animosities, and cultivate a spirit of harmony; which would, above all things, contribute to maintain, in their proper lustre, the strength, reputation, and prosperity of the country, and strengthen the attachment of the subject to that excellent constitution of government from which they derived such distinguished advantages.

The address  
opposed by  
lord Chat-  
ham.

LORD CHATHAM, who was now sufficiently recovered to attend his duty in parliament, opposed the address. He observed, that his age and infirmities would have formed a sufficient excuse, if he had continued in retirement; and never again taken a part in public affairs; but the alarming state of the nation forced him once more to come forward, and execute that duty which he owed to his God, his sovereign, and his country; and which he was determined to perform at the hazard of his life. He gave his approbation to the prudent measures taken with respect to the distemper among cattle, and avowed his opinion that there was a power, in some degree arbitrary, with which the crown was intrusted by the constitution, such as he had himself exercised to save the people from starving.

WITH this observation lord Chatham's approbation of the measures of government ended. He disapproved of the peace, and averred it had been made so improvidently, as to leave the country without a single ally: from this circumstance we had, during a peace of seven years, been continually on the verge of war.

France,

France, on the other hand, had carefully cultivated her alliances, especially Spain, and that thus the whole house of Bourbon was united within itself, and supported by the closest connections with the principal powers in Europe.

BUT however important might be the consideration of foreign affairs, he considered the domestic situation of the country as demanding still greater attention. He lamented the unhappy measures which had divided the colonies from Great Britain, and which he feared had drawn them into unjustifiable excesses. But as the house had no documents on this subject, he could not concur in calling their proceedings unwarrantable: to use such an expression was passing sentence without hearing the cause, or being acquainted with the facts. The discontent of two millions of people deserved consideration, and the foundation of it should be removed; but we should be cautious how we invaded the liberties of any part of our fellow subjects, however remote in situation, or unable to make resistance. The Americans had purchased their liberty at a dear rate, since they had quitted their native land, and gone to seek it in a desert.

HIS lordship proceeded to observe, that the parts of the address already adverted to, bore no comparison in point of interest to those which remained. There never was a time when the unanimity recommended by the king was more necessary: and it was the duty of the house to inquire into the causes of the notorious dissatisfaction expressed by the whole English nation, to state them to their sovereign, and to give him their best advice in what manner he ought to act. The privileges of the house of lords, however transcendent, however appropriate

CHAP.  
XVII.  
1770.

appropriate to them, stood, in fact, on the broad bottom of the people. The rights of the greatest and meanest subjects had the same foundation, the security of the law, common to all. It was therefore their highest interest, as well as their duty, to watch over and guard the people; for when the people had lost their rights, those of the peerage would soon become insignificant. "Be assured, my lords," he continued, "that in whatever part of the empire you suffer slavery to be established, whether it be in America, in Ireland, or at home, you will find it a disease which spreads by contact, and soon reaches from the extremities to the heart. The man who has lost his own freedom, becomes from that moment an instrument, in the hands of an ambitious prince, to destroy the freedom of others." He then affirmed that the liberty of the subject was invaded not only in the provinces, but at home. The people were loud in their complaints, and would never return to a state of tranquillity till they obtained redress: nor ought they; for it were better to perish in a glorious contention for their rights, than to purchase a slavish tranquillity at the expence of a single iota of the constitution. He had no doubt the universal discontent of the nation arose from the proceedings against Wilkes, and therefore moved an amendment to the address, purporting, that "the house would with all convenient speed take into consideration the causes of the prevailing discontent, and particularly the proceedings of the house of commons, touching the incapacity of John Wilkes; thereby refusing (by a resolution of one branch of the legislature only) to the subject his common right, and depriving the  
"electors

"electors of Middlesex of their free choice of a  
"representative."

LORD MANSFIELD opposed the amendment. He had never delivered an opinion on the legality of the proceedings in the house of commons on the Middlesex election, nor should he, whatever expectations might be formed, now declare his sentiments. They were locked up in his own breast, and should die with him: he wished to avoid speaking on the subject; but the motion was of a nature so extraordinary and alarming, as to preclude the possibility of his remaining silent. He acknowledged the distracted state of the nation; but was happy with a safe conscience to affirm, that it could in no respect be attributed to him. Declarations of law made by either house of parliament were always attended with bad effects: he constantly opposed them when he had an opportunity, and never in his judicial capacity thought himself bound to honour them with the slightest regard. He considered general warrants illegal, or rather no warrants at all, but was sorry the house of commons should declare it by their vote. Had they been declared legal, the courts at Westminster would have adjudged otherwise, and thus the vote of the house would have been treated with disrespect.

He shewed the distinction between general declarations of law, and particular decisions which might judicially be made by either house, on a case regularly submitted to their discussion, and properly the subject of their jurisdiction. A question relating to the seat of one of their members, could only be determined by that house; nor was there an appeal from their decision.

CHAP.  
XVII.

1770.

Supported  
by Lord  
Mansfield.

CHAP.  
XVII.  
1770.

Wherever a court of justice is supreme, and their sentence final, as was the case of the house of commons, in matters of election, the determination of that court must be received and submitted to as the law of the land; for if there be no appeal from a judicial sentence, where shall that sentence be questioned, or how can it be reversed? He avoided entering into the merits of the late decision, from a conviction that the lords had no right to inquire into, or discuss the subject. The amendment threatened the most pernicious consequences to the nation, as it manifestly violated every form and law of parliament, was a gross attack on the privileges of the house of commons, and instead of promoting that harmony which the king had recommended, must inevitably throw the whole country into a flame. There never was an instance of the lords inquiring into the proceedings of the house of commons with respect to their own members; much less of their assuming a right to censure, or advising the crown to notice such proceedings.

THE amendment would inevitably occasion a quarrel between the two houses, or between the king and the commons. If the lower house had acted wrong, that wrong would not be repaired by the lords committing a still greater error. Their proceedings would in fact be no less ineffectual than irregular; for supposing the king should dissolve the parliament, which he presumed to be the true object of the amendment, the next house of commons, if they knew any thing of their own privileges, or of the laws, would undoubtedly, on the first day of the session, declare the proceedings a violation

lation of the rights of the commons. In acting otherwise, they would shamefully betray their constituents and themselves. In conclusion, he objected to the amendment, as irregular and unparliamentary, pregnant with pernicious consequences, and not calculated to produce any single advantage.

CHAP.  
XVII.  
1770.

LORD CHATHAM began his reply by extolling the use of common sense, in opposition to subtilty and ingenious refinement. He complained that the meaning of his amendment had been totally misrepresented, and denied having, either in the amendment or in discourse, said one word touching the merits of the Middlesex election.

Lord  
Chatham's  
reply.

"THE constitution of the country," he observed, "has been openly invaded in fact; and I have heard, with horror and astonishment, that invasion defended upon principle. What is this mysterious power, undefined by law, unknown to the subject, which we must not approach without leave, nor speak of without reverence, which no man may question, and to which all men must submit? I thought the slavish doctrine of passive obedience had long since been exploded; and, when our kings were obliged to confess their title to the crown, and the rule of their government, had no other foundation than the known laws of the land, I never expected to hear a divine right, or a divine infallibility, attributed to any other branch of the legislature. Power without right is the most odious and detestable object that can be offered to the human imagination: it is not only pernicious to those who are subject to it, but tends to its own destruction. It is what Lyttelton has truly

CHAP.  
XVII.  
1770.

“described it, *res detestabilis et caduca*.—  
“I acknowledge the just power, and reverence  
“the constitution of the house of commons.  
“For their own sakes, I would prevent their  
“assuming a jurisdiction which the constitution  
“has denied them, lest, by grasping at an autho-  
“rity to which they have no right, they should  
“forfeit that which they legally possess. But I  
“affirm they have betrayed their constituents,  
“and violated the constitution. Under pretence  
“of declaring the law, they have made a law,  
“and united in the same persons the offices of  
“legislator and judge.”

His lordship then distinguished between the  
legislative and jurisprudential functions of the  
house of commons. He denied they had a  
supreme jurisdiction, or that their decision must  
be received and submitted to, as, *ipso facto*,  
the law of the land. “The noble lord assures  
“us he knows not in what code the law of par-  
“liament is to be found; that the house of  
“commons, when they act as judges, have no  
“law to direct them, but their own wisdom:  
“their decision is law; and if they determine  
“wrong, the subject has no appeal but to  
“heaven. What then, are all the generous  
“efforts of our ancestors, are all those glo-  
“rious contentions, by which they meant to  
“secure to themselves, and transmit to their  
“posterity, a known law, a certain rule of liv-  
“ing, reduced to this conclusion, that instead  
“of the arbitrary power of a king, we must  
“submit to the arbitrary power of a house of  
“commons? If this be true, what benefit do  
“we derive from the exchange? Tyranny,  
“is detestable in every shape, but in none so  
“formidable as where it is assumed and ex-  
“ercised by a number of tyrants. But, this  
“is

“is not the fact, this is not the constitution;  
 “we have a law of parliament, we have a  
 “code, in which every honest man may find it.  
 “We have Magna Charta, we have the Sta-  
 “tute Book, and the Bill of Rights. The peo-  
 “ple when they choose their representatives,  
 “never mean to convey to them the power of  
 “invading the rights, or trampling on the  
 “liberties of those whom they represent. What  
 “security would they have for their rights, if  
 “once they admitted that a court of judicature  
 “might determine questions not by any known  
 “positive law, but by some vague, indeter-  
 “minate, arbitrary rule?”

He denied precedents to be law; they were merely evidences of law, and of no authority, unless founded in, and confirmed by reason: taken from good and moderate times, not contradictory to any positive law, submitted to without reluctance by the people, unquestioned by the legislature, and not inimical to the spirit of the constitution. “The first prin-  
 “ciple of the constitution is that the subject  
 “shall not be governed by the *arbitrium* of any  
 “one man, or body of men (less than the whole  
 “legislature) but by certain laws, to which he  
 “has virtually given his consent, which are  
 “open to him to examine, and not beyond his  
 “ability to understand. But the late decision  
 “of the house of commons on the Middlesex  
 “election, is destitute of every one of those  
 “properties and conditions which I hold to be  
 “essential to the legality of such a decision.  
 “It is not founded in reason, it is not supported  
 “by a single precedent, and it contradicts Mag-  
 “na Charta and the Bill of Rights. Whether  
 “it be questioned by the legislature, will de-  
 E E 3 “pend

CHAP.  
XVII.  
1770.

“pend on your lordships’ resolution; but  
“that it violates the spirit of the constitution,  
“will, I think, be disputed by no man who has  
“heard this day’s debate, and who wishes well  
“to the freedom of his country: yet, if we are  
“to believe the noble lord, this great grievance,  
“this manifest violation of the first principles  
“of the constitution, will not admit of a re-  
“medy; is not even capable of redress, unless  
“we appeal at once to heaven. My lords, I  
“have better hopes of the constitution, and a  
“firmer confidence in the wisdom and consti-  
“tutional authority of this house.” After  
highly applauding the ancient nobility as  
founders of the constitution, and invoking the  
house not to degenerate from the glorious ex-  
ample of their ancestors, he said, “Those iron  
“barons (for so I may call them when com-  
“pared with the silken barons of modern  
“days) were the guardians of the people; yet  
“their virtues, were never engaged in a ques-  
“tion of such importance as the present. A  
“breach has been made in the constitution  
“—the battlements are dismantled—the ci-  
“tadel is open to the first invader—the walls  
“totter—the constitution is not tenable.  
“What remains then, but for us to stand fore-  
“most in the breach, to repair, or perish in  
“it?”

GREAT pains had been taken, lord Chatham  
said, to excite alarm, by displaying the con-  
sequences of a difference between the two  
houses. He was sensible of the importance and  
difficulty of the crisis, but distinguishing be-  
tween the representatives, and the collective  
body of the people, he was desirous, if the  
house must engage in a contention, to have the  
nation

nation on their side. "If this question be given up," he said, "the freeholders of England are reduced to a condition baser than the peasantry of Poland. If they desert their own cause, they deserve to be slaves.

"I am not now pleading the cause of an individual, but of every freeholder in England. In what manner this house may constitutionally interpose in their defence, and what kind of redress this case will require and admit, is not the present subject of consideration. The amendment, if agreed to, will naturally lead us to such an enquiry. That enquiry may, perhaps, point out the necessity of an act of the legislature, or it may lead to a conference with the other house. It is possible, that the enquiry may lead us to advise his majesty to dissolve the parliament; nor have I any doubt of our right to give that advice, if we should think it necessary. His majesty will then determine whether he will yield to the united petitions of the people of England, or maintain the house of commons in the exercise of a legislative power, which heretofore abolished the house of lords, and overturned the monarchy. I willingly acquit the present house of commons of having actually formed so detestable a design; but they cannot themselves foresee to what excesses they may be carried hereafter; and for my own part, I should be sorry to trust to their future moderation. Unlimited power is apt to corrupt the mind; and this I know — that where the law ends, tyranny begins!"

THE warmth of lord Chatham seemed to communicate itself to lord Camden. He said,

Lord  
Camden.

CHAP.

XVII.

1770.

"I accepted the great seal without conditions; I meant not therefore to be troubled by his majesty; (I beg pardon) by his ministers; but I have suffered myself to be so too long. For some time I have been held with silent indignation the arbitrary measures of the minister; I have often drooped and hung down my head in council, and disapproved, by my looks, those steps which I knew my avowed opposition could not prevent; I will do so no longer, but openly and boldly speak my sentiments." He coincided in opinion with lord Chatham respecting the incapacitating vote of the house of commons; and added, that if in giving his opinion as a judge, he were to pay any respect to that vote, he should look upon himself as a traitor to his trust, and an enemy to his country. The ministry, he said, by their violent and tyrannical conduct, had alienated the minds of the people from his majesty's government, he had almost said, from his majesty's person; and in consequence, a spirit of discontent had spread itself into every corner of the kingdom, and was every day increasing; and if some methods were not devised to appease the clamours so universally prevalent, he did not know but the people, in despair, might become their own avengers, and take the redress of grievances into their own hands. In fine he acceded the ministry, though not in express terms, yet by direct implication, of having formed a conspiracy against the liberties of the country. The amendment was negatived.

Address  
reported in  
the house of  
commons:

In the house of commons the address was no less strenuously opposed, and an amendment

was

was moved by Mr. Dowdeswell. "That the house would take into consideration the causes of the unhappy discontents which prevailed in every part of his majesty's dominions."

THE debate on this motion lasted twelve hours, but the details are not preserved. The mention of horned cattle in so prominent a manner, occasioned considerable ridicule; and it was represented as a great imprudence to hold out to the rest of Europe the idea, that this country was too much distressed to engage in war. The conduct of the ministry with respect to America was reprobated in every particular. Colonel Barre observed, that many were alienated from his majesty; the ministry had contrived to sow discontent in almost every part of the king's dominions; England in opposition to his own representatives; in Ireland, the parliament prorogued for its support of the true constitutional right of taxation; the colonies in actual rebellion, for a tax, which the ministry confessed, was not intended to bring in money, but only as a test of obedience; and, perhaps, to crown the whole, France at the eve of a war with us. The marquis of Granby too was dissatisfied with the vote he had given on the Middlesex election; and wished the house would re-examine their resolution.

THE ministry exposed and descanted on the means which had been used to obtain signatures to petitions and remonstrances; which the opposition members, far from denying, avowed with pride. Lord North said, he would never consent to annul the resolutions of the house in respect to the Middlesex election, and Sir Fletcher Norton averred they could not alter their former

## CHAP.

## XVII.

1770.  
But carried.

10th Jan.  
Second  
debate.

former resolutions, but by an act of the legislature.

THE amendment was rejected by a considerable majority.<sup>a</sup>

ON reporting the address, another debate arose, in consequence of an objection made by Sir William Meredith, that to thank the king for his approbation of the conduct of the house, would imply an approval of the decision respecting the Middlesex election. Sir George Saville accused the house of having betrayed the rights of the people. He was called to order; and general Conway, in reproof of his intemperance, observed, it was an insult to parliament, and members had been sent to the Tower for such words. Sir George Saville was defended by Serjeant Glynn. Burke spoke on the same side, and conscious of the popularity of the cause, challenged the ministry to punish Sir George, if he was guilty of delinquency. He said, the people abhorred the present ministry, and asked the speaker if the chair did not tremble under him. Sir George Saville ostentatiously repeated the offensive words; which occasioned Mr. Fox to observe that from the licentious language of some gentlemen, on that and the preceding day, it seemed as if the old decent freedom of debate was at an end, and they were endeavouring to establish new forms. The expression in the address did not allude to any particular measure of parliament, nor to every measure, as no one could suppose his majesty approved of every resolution adopted by the house, but only of the general tenor of their actions. Burke, replied with a sneer, it signified little what the house

meant, but how the people would estimate their conduct: he was, however, glad to hear that nothing was meant by the address. There was no division.<sup>b</sup>

CHAP.  
XVII.  
~~~~~  
1770.

THE strength displayed by the opposition, and the popular ground on which they stood, were sufficient indications that great efforts had been used during the recess, to unite the several parties into one consistent uniform body. The resignation of lord Chatham, and his opportune recovery of health and faculties, afforded him the means of again taking the lead of an active party, and of reviving his declining popularity. The reconciliation between him and lord Temple, united Mr. Grenville and his friends in their interests; a combination was speedily formed between them and the Rockingham party, which included many of the first characters for talents and respectability in both houses. A division was also effected among the ministry; for besides lord Camden, whose conduct in the upper house was so remarkable, Dunning, the solicitor-general, and the marquis of Granby, commander in chief of the forces, divided with the minority in the house of commons.

Strength of
opposition.

FROM lord Camden's intemperate manner of declaring his opposition, it could not be expected that he should retain his situation of chancellor; in fact his dismissal was anticipated, and every effort used to embarrass the government, and render it impossible to find a successor. On the day the address was debated in the house of lords, the marquis of Rockingham moved that they should be summoned on the morrow, as he wished to make a proposal of great national

Conduct
of lord
Camden.

^b This debate is intitled to notice, as containing the first recorded parliamentary essay of the honourable Charles James Fox.

importance;

CHAP.
XII.
1770.

importance; but lord Pomfret moved an adjournment for a week. This delay was received with great indignation by the minority. Lord Temple said, the house knew for what purpose the ministry wanted an adjournment; it was to settle the disordered state of the administration, which was now shattered in a most miserable manner, and in all likelihood would soon fall to pieces; and particularly to dismiss the virtuous and independent lord who sat on the woolsack, and to supply his place with some obsequious lawyer who would do as he was commanded. Lord Shelburne also observed, that after the dismissal of the present worthy chancellor, the great seal would go a-begging; but he hoped there would not be found in the kingdom a wretch so base and mean-spirited to accept of it on such conditions as would gratify the ministry.

His dis-
mission.

THE seal was taken from lord Camden, and offered to Mr. Yorke, who had twice filled the office of attorney-general with the greatest reputation for talents and integrity. The unsettled state of parties, and the gloomy complexion of affairs, naturally occasioned him to feel considerable reluctance at undertaking the high office to which he was called, at that particular time. Nothing probably could have overcome his repugnance, but the earnest manner in which his acceptance of the great seal was pressed upon him, by the king himself, as most essential to his service. Thus urged, Mr. Yorke determined to obey the commands of his sovereign, without reverſionary conditions or stipulations. He was immediately raised to the peerage by the title of Baron Morden, of Morden in Cambridgeshire, an honour he did not live to possess, as the patent was not completed before

17th Jan.
Mr. Yorke
appointed
lord-chan-
cellor.

His death.
20th Jan.

before his death, which occurred three days after he had received the great seal.

MR. CHARLES YORKE was second son of Philip, first earl of Hardwicke, and born in the year 1723. He had studied the laws and constitution of his country, and their application to the science of politics, in the best school of the age: and was no less eminent at the bar than in the estimation of the most enlightened statesmen. His extensive literary acquirements, his great abilities, and the integrity of his character, were well known and universally respected. He was appointed solicitor-general in 1756, and while he held the important office of attorney-general, was deservedly high in the confidence of the administration, and of his country. His probable elevation to the dignity of chancellor had been long contemplated with hope and expectation by the public, and consequently his death was considered highly prejudicial to the interest of the nation, as, had he lived, a more firm and comprehensive system of administration might have been formed, and wiser and more conciliatory measures adopted towards the American colonies.

AFTER the death of Mr. Yorke the great seal was offered to Sir Eardley Wilmot, and to lord Mansfield, but both declining, it was put in commission, and lord Mansfield was appointed speaker of the house of lords till there should be another chancellor.

THE removal of lord Camden was followed by several resignations: the marquis of Granby gave up all his places except the regiment of blues; the duke of Beaufort vacated his situation of master of horse to the queen; the duke of Manchester and the earl of Coventry resigned

CHAP.

XVII.

1770
A new character.

Great seal
put in com-
mission.
22d.

Resigna-
tions.

CHAP.
XVII.
1770.

signed their posts as lords of bedchamber ; the earl of Huntingdon his place of groom of the stole ; and Mr. James Grenville his office of one of the vice-treasurers of Ireland. Dunning, the solicitor-general, also resigned.

3d.
State of the
nation de-
bated in
the lords.

Marquis of
Rocking-
ham,

DURING these transactions the sittings of the lords were suspended by adjournment, and no business of importance took place in the lower house, owing to the indisposition of the speaker, Sir John Cust. The marquis of Rockingham had given notice of his intention to move for a day, for considering the state of the nation, and after the adjournment made his motion. The present unhappy condition of affairs, and universal discontent of the people, he said, did not arise from any immediate temporary cause, but had grown by degrees from the moment of his majesty's accession. The persons in whom the king then confided had introduced a total change in the old system of government, and adopted a maxim which must prove fatal to the liberties of the country, namely, that the royal prerogative alone was sufficient to support government, to whatever hands it might be committed: and the marquis reviewing the acts of government from the beginning of the reign, ascribed them all to the prevalence of that principle. Having expressed his disapprobation of many early transactions, he came to those of the last preceding years ; spoke with great severity of the manner in which the civil list arrears had been paid ; censured the grant of Inglewood forest, which he asserted was made merely for the sake of carrying the prerogative to its utmost extent, and condemned the indecent hurry and precipitation with which that affair had been concluded, to pre-

vent the duke of Portland from vindicating his title; and accused the ministry of resisting the introduction of the Nullum Tempus Bill.

THE external affairs of the empire, the marquis averred, had been conducted with the same want of wisdom, and brought into nearly the same condition, with those at home. In Ireland the parliament was prorogued, which probably led to a dissolution, and the affairs of the kingdom left unprovided for, and in confusion. He equally disapproved the proceedings with respect to America, which he maintained were conducted on no fixed principle. The king's speeches, and the language of ministry, had denounced nothing but war and vengeance against a rebellious people; whilst the governors abroad were instructed to convey the gentlest promises of relief and satisfaction.

THE marquis, after condemning the supineness of ministry, in permitting France to obtain so valuable a dominion as Corsica, said, he avoided dwelling so strongly as he might on the great invasion of the constitution, which had thrown the whole country into a flame. When the constitution is violated, he said, we should not content ourselves with repairing the single breach, but look back into causes, and trace principles, in order, not merely to restore the constitution to present health, but render it, if possible, invulnerable hereafter. Upon the whole, he strongly recommended the appointment of an early day for investigating the state of the country in all its relations and dependencies, foreign, provincial, and domestic. In consequence of that consideration the house would, he hoped, indicate

CHAP. dedicate to the crown, the means not only of
 XVII. correcting past errors, but of establishing a
 ~~~~~ system of government more wise, more per-  
 1770. manent, better suited to the genius of the  
 people, and, at least, consistent with the spirit  
 of the constitution.

Duke of  
 Grafton.

THE duke of Grafton said, he had no intention to oppose the motion; on the contrary, he engaged to second it, and meet the great question whenever the house should think proper. For the present he only meant to exculpate himself from reflections which seemed to apply particularly and personally to him. He vindicated the resumption of the supposed grant of crown lands, which had been most unfairly represented, and asserted that if the duke of Portland, instead of being an opponent, had been the warmest friend of administration, the treasury-board could not have adopted a different mode of conduct, without a flagrant violation of justice. With respect to the civil list, he asserted the persons to whose offices it belonged, had been constantly employed in drawing up a state of that account, and had received every possible light and information from the officers of the crown, in order to shorten and facilitate the business, which was of infinite labour and extent; and, notwithstanding the utmost diligence, could not yet be completed. With respect to foreign affairs, the conduct of ministry would, on the strictest examination, be found irreproachable. He thought the terms of peace not so good as the nation had a right to expect, but he would never advise the king to engage in another war, as long as the dignity of the crown, and  
 the

the real interests of the nation could be preserved without it. We had already suffered sufficiently by foreign connections to warn us against engaging lightly in quarrels, in which we had no immediate concern, and to which we might probably sacrifice our own most essential interests.

LORD CHATHAM followed the duke of Grafton; he meant to have risen immediately to second the marquis of Rockingham's motion, but agreed that the charge which the duke seemed to think affected him, demanded an immediate answer. The constitution, he said, was violated; and until that wound was healed, and the grievance redressed, it was in vain to recommend union to parliament, in vain to recommend concord among the people. "If we mean seriously to unite the nation within itself, we must convince them that their complaints are regarded, and that their injuries shall be redressed. On that foundation I would take the lead in recommending peace and harmony to the people: on any other, I would never wish to see them united again. If the breach in the constitution be effectually repaired, the people will of themselves return to a state of tranquillity; if not, may discord prevail for ever! If the king's servants will not permit a constitutional question to be decided according to the forms, and on the principles of the constitution, it must then be decided in some other manner; and rather than it should be given up, rather than the nation should surrender their birth-right to a despotic minister, I hope, old as I am, to see the question brought to issue, and fairly tried

Lord Chatham.

CHAP.

XVII.

1770.

“tried between the people and the govern-  
“ment.”

HE dissented from the principle that nothing less than an immediate attack on the honour or interest of the nation, could authorize an interposition in defence of weaker states, and in stopping the enterprizes of an ambitious neighbour. By the acquisition of Corsica, he said, France had obtained more in one pacific campaign than in all her belligerent campaigns, at least while he had the honour of administering war against her; and he expressed his fears that it was too much the temper of this nation to be insensible of danger, till it approached with accumulated terror.

HE condemned the promise made by the lord-lieutenant to maintain a certain quantity of troops in Ireland; it was incroaching on the royal prerogative: and he remembered when Minorca was lost for want of four battalions, in consequence of the delicacy which ministers felt in taking them from Ireland. With respect to the arrears of the civil list, lord Chatham said, the duke had given a number of plausible reasons why the account was not yet furnished, but no reason to hope it ever would be laid before the house.

THE waste of public money was not of so much importance as the pernicious purpose to which some portion of it had been applied. The riches of Asia had poured in upon us, and with them, he feared, not only Asiatic luxury, but Asiatic principles of government. “Without connections, without natural interest in the soil, the importers of foreign gold have forced their way into parliament, by such a torrent of private corrup-  
“tion

“tion as no private hereditary fortune can resist. “The truth of my allegations is within the knowledge of the whole house; the corruption of the people is the great original cause of the discontentments of the people themselves, of the enterprize of the crown, and the notorious decay of the internal vigour of the constitution.” Pursuing this subject, his lordship offered some suggestions on the propriety of a reform in parliament. He considered the boroughs as the rotten part of the constitution; but, like the infirmities of the natural body, they must be borne with patience: the limb was mortified, but amputation might be death. To infuse new vigour into the constitution, it would be necessary to augment the county and city representatives, and extend the regulation to Scotland, to prevent the jealousy which might arise from an apparent violation of the act of union.

HAVING expatiated on this topic at much length, he mentioned with great satisfaction his cordial union with the marquis of Rockingham, and wished that an early day might be fixed for considering the state of the nation. “My infirmities,” he said, “must, indeed, fall heavily upon me, if I do not then attend my duty. When I consider my age and unhappy state of health, I feel how little I am personally interested in the event of any political question: but I look forward to others, and am determined, as far as my poor ability extends, to convey to those who come after me, the blessings which I cannot long hope to enjoy.”

THE discussion of the state of the nation was fixed for the second of February, but before

CHAP.  
XVII.13th Jan.  
Change of  
ministry.

that day the duke of Grafton resigned his situation of first lord of the treasury; lord North was appointed his successor, and measures were taken to fill up the vacancies occasioned by other resignations.

22d.

SIR JOHN CUST'S state of health having induced him to resign the chair of the house of commons,<sup>c</sup> Sir Fletcher Norton was called to that dignity; lord Halifax was appointed lord privy-seal, in lieu of the earl of Bristol, who became groom of the stole; Welbore Ellis was made one of the vice-treasurers of Ireland, instead of James Grenville; Charles Fox was appointed a lord of the admiralty; and after some time, Thurlow was made solicitor-general, instead of Dunning; who, notwithstanding his resignation, held the office till a successor should be nominated.

29th Jan. to  
13th Feb.

19th Mar.

Debate in  
the house  
of com-  
mons on  
the state of  
the nation.

25th Jan.

THE principal object of the late debates in the house of lords, was to procure a decision favourable to the right of Wilkes to sit in parliament as member for Middlesex. The same view influenced the opposition in the house of commons, where a committee on the state of the nation was also formed, and a motion made by Mr. Dowdeswell, "That, in judging of elections, the house ought to be regulated by the law of the land, and the known and established law and custom of parliament, which made a part thereof." This evident proposition was announced as a prelude to a series which would tend to redress the mischiefs of the Middlesex election. This avowal reduced the ministry to an unpleasant dilemma; if they agreed to the motion, but rejected those by which it was

<sup>c</sup> Sir John Cust died on the day his successor was elected.

followed,

followed, they would seem to relinquish the conclusions drawn from premises which they had conceded: if, on the other hand, they over-ruled the motion, it would appear that the house of commons, not acknowledging themselves bound by law, and the usage of parliament, formed a court of judicature, guided only by caprice. Lord North dexterously avoided the snare, by moving as an amendment, “And that the judgment of the house “on the Middlesex decision is conformable “to law, and the usage of parliament.” After a strenuous debate, the amendment was carried.<sup>d</sup>

The question proposed by Mr. Dowdeswell, not having been rejected, he moved another resolution, founded on it: “That, by the law of “the land, and the law and usage of parliament, no person eligible of common right, “can be incapacitated by a resolution of the “house, but by an act of parliament only.”

31st Jan.  
Subse-  
quent mo-  
tion of Mr.  
Dowdes-  
well.

In the course of this debate, colonel Barré made an allusion to the power recently acquired by lord North. He compared the state to a vessel tossed in a stormy sea, which had just parted her main-mast (the duke of Grafton) and now scudded under a jury-mast (lord North); they now, he said hung out signals for pilots from the other side of the house, but none would assist them till the old men and crew had quitted the ship. In reply, lord North acknowledged the storms which had almost overpowered the vessel; but observed they came from the other side of the house, and those alone who raised, knew how to lay them: but the ship was not yet in such distress as to hang out signals for

<sup>d</sup> 224 to 292.

CHAP.  
XVII.  
1770.

pilots, those on board being very capable of conducting her into port. He moved that the speaker should leave the chair; which was carried.

2d Feb.  
Marquis of  
Rocking-  
ham's mo-  
tion.

ON the appointed day, the marquis of Rockingham made his motion in the committee on the state of the nation, in nearly the same words as those used by Mr. Dowdeswell.

Speech of  
lord Sand-  
wich.

THE proposition was combated in a long and able speech by lord Sandwich, who expressed surprize that the question should ever have been entertained, as it related only to a privilege of the commons. He quoted cases of the expulsion of the earl of Middlesex, and of lord Bacon, in which instances no alarm was created by the other branches of the legislature; they stood silent and undisturbed, knowing their interference to be improper and unnecessary. Adverting to the supposed prevalence of alarm, lord Sandwich, though he had the highest opinion of the marquis's veracity in other respects, thought him mistaken in the assertions substantiating that fact: "I have been  
"at some pains," he said, "to examine, ac-  
"curately and impartially, into the real cir-  
"cumstances of the alarm; and I have found  
"it to be nothing more than a fiction, first  
"set on foot by the daring and ambitious;  
"and occasionally supported by the desperate,  
"necessitous, and ignorant. But let us take  
"the fact as represented: we are told that the  
"majority of the people of England have  
"petitioned for redress of grievances. Now  
"the whole people of England are contained  
"within forty counties; of which thirteen  
"only have petitioned. It requires no deep  
"calculation,

“ calculation, no abstract knowledge of num-  
 “ bers, to tell that thirteen is not quite one-  
 “ third of forty, though it is roundly assert-  
 “ ed, that the whole people of England have  
 “ petitioned. If we will further suppose (which  
 “ we may very impartially) that many who  
 “ have signed petitions possess no freehold, but  
 “ are led either by the general pressure of po-  
 “ verty, the want of an immediate meal, or  
 “ the hope of better establishment; if we will,  
 “ likewise, consider what a number have been  
 “ intimidated into it—I say intimidated, my  
 “ lords; for we frequently find in the Gazettes  
 “ menacing letters, directed to those who had  
 “ firmness of mind, and good sense sufficient to  
 “ be guided by their own opinions—the num-  
 “ ber even in these thirteen counties will be so  
 “ lessened, as not to constitute in reality a  
 “ twentieth part of his majesty’s subjects. Let  
 “ us then, my lords, be superior to these false  
 “ alarms—the feeble echoes of despondent  
 “ ambition. Let us act like the real guardians  
 “ of the nation; steady in supporting the pri-  
 “ vileges of the people, but not too forward  
 “ to appear when no real danger presses.” He  
 concluded by observing that if the house of  
 commons were aggrieved by the intrusion of  
 colonel Luttrell, the means of redress were in  
 their own power.

LORD CHATHAM averred that the cases  
 cited were inapplicable, as by the expulsion  
 of lord Bacon and lord Middlesex, no franchise  
 was invaded, no freeholder deprived of his  
 right. He attempted to obviate the deduc-  
 tions drawn from lord Sandwich’s calculations,  
 by observing that many who individually felt  
 all the rigour of parliamentary proceedings,  
 were unable, for want of a few principals to  
 convene them, to make their complaints reach

Lord  
 Chatham.

CHAP.  
XVII.  
1770.

the royal car. Great interest had been made by government to suppress all petitions, and if to those efforts were added the influence of placemen, it would be surprizing that out of forty counties, thirteen had spirit and independence sufficient to stem the tide of venality. Lord Chatham then declaimed against the conduct of the house of commons; denominated the vote which made colonel Luttrell representative for Middlesex, a gross invasion of the rights of election, a dangerous violation of the English constitution, a treacherous surrender of the invaluable privilege of a freehold, and a corrupt sacrifice of their own honour. That house had stripped the statute book of its brightest ornaments, to gild the wings, not of prerogative, but of unprincipled faction, and lawless domination. To gratify the resentments of some individuals, the laws had been despised, trampled upon, and destroyed, those laws which had been made by the stern virtue of their ancestors, the iron barons of old, to whom the nation was indebted for all the blessings of the constitution; to whose virtue and whose blood, to whose spirit in the hour of contest, and to whose tenderness in the triumph of victory, the silken barons of this day owed their honours and their seats, and both houses of parliament their continuance. These measures made a part of that unhappy system, which had been formed in the present reign, with a view to new-model the constitution, as well as the government. They originated, he would not say, with his majesty's knowledge, but in his majesty's councils. The commons had slavishly obeyed the commands of his majesty's servants, and thereby proved, to the conviction of every man, what before might have been  
been

been only matter of suspicion, that ministers held a corrupt influence in parliament; it was demonstrable, it was indisputable. It was therefore particularly necessary for the lords, at this critical and alarming period, so full of jealousy and apprehension, to step forward, and oppose themselves, on the one hand, to the justly-incensed, and perhaps speedily intemperate rage of the people; and on the other to the criminal and malignant conduct of his majesty's ministers: that they might prevent licentiousness on the one side, and depredation on the other. Their lordships were the constitutional barrier between the extremes of liberty and prerogative.

At midnight, a motion for the speaker to resume the chair, in order to put an end to the discussion in the committee, was carried by a majority of more than two to one.\*

Inquiry  
terminated.

NOTWITHSTANDING the lateness of the hour, the earl of Marchmont moved "That any resolution of the lords, directly or indirectly impeaching a judgment of the house of commons, in a matter where their jurisdiction is competent, final, and conclusive, would be a violation of the constitutional right of the commons, tending to make a breach between the two houses of parliament, and leading to general confusion."

Motion of  
the earl of  
March-  
mont.

THIS motion was supported by lord Mansfield, in a speech of considerable length; and by lord Egmont, who declared the people had no right to present such petitions as had been lately laid before the king, for they were treasonable.

Observa-  
tions of  
lords  
Mansfield  
and Eg-  
mont.

LORD CHATHAM, after ironically thanking

Lord  
Chatham.

CHAP.  
XVII.  
1770.

the noble lord for permitting the petitioners to retain their heads a day longer, asserted that the petitions were laudable and constitutional, and the right to present them undoubted. The house of lords had a jurisdiction, and ought to interfere in case of an invasion of the people's liberties, or an unconstitutional determination of the house of commons; the case of the county of Middlesex fell under both these denominations. He conjured their lordships, by the noble struggles of their ancestors in behalf of liberty, not to behold with indifference a transaction so alarming. In conclusion, he complained strongly of the motion being sudden, and made at midnight, and pressed an adjournment for only two days. "If the constitution," he said, "must be wounded, let it not receive its mortal stab at this dark and midnight hour."

Altercation respecting the official conduct of lord Camden.

IN the course of the debate a personal altercation arose between lord Sandwich and lord Camden, which throws considerable light on the conduct of the ex-chancellor, while in office. Lord Sandwich accused him of duplicity, in permitting the proceedings against Wilkes to take place without remonstrance, and of having refused to give an opinion respecting them. Lord Camden asserted, upon his honour, that long before Wilkes's expulsion, and also before the vote of incapacity, he informed the duke of Grafton that he thought it both illegal and imprudent; he had always entertained, and frequently delivered that opinion. The duke of Grafton admitted lord Camden had, once before the expulsion of Wilkes, intimated, but not in express terms, that he thought the measure impolitic, or ill-timed; but that he had never given his opinion on the

vote

vote of incapacity: on the contrary, whenever that subject was agitated in the cabinet, he remained silent or retired; thus refusing or declining to deliver his sentiments. This assertion was corroborated by lord Weymouth, who adverted expressly to one particular occasion, when lord Camden had withdrawn his advice and assistance from the council on the mere mention of expulsion and incapacity. The law-lord, although contradicted by the first witness he referred to, persevered in asserting that he had repeatedly given his opinions on the inexpediency of the measures, but finding them rejected and despised, absented himself from the cabinet, where his presence would only distract measures already resolved on, and which his single voice could not prevent.<sup>f</sup>

LORD CHATHAM also averred, that in conversation with him, lord Camden had declared his opinion on those subjects, and supported it by cogent reasons. The house, tired of this futile conversation, at two o'clock called for the question; which was carried in the affirmative. Protests were entered against both the decisions, the first signed by forty-two, the last by forty peers.<sup>g</sup>

He is defended by lord Chatham.

<sup>f</sup> This discussion gave birth to a similar one in the house of commons, in which it was insisted that the expulsion of Wilkes had been debated and determined in the council; and that the measure was therefore a mandate to the lower house which was implicitly obeyed. Debates, February 5th.

<sup>g</sup> These protests were printed in a newspaper. Lord Gower, on the 7th of February, complained of a breach of privilege, and the printer was ordered to attend the house, but absconded. Lord Sandwich thereupon moved (10th February) for an order to take him into custody of the usher of the black rod. The motion was carried, although opposed by the duke of Richmond and lord Temple. The printer either fled or kept himself concealed.—Debrett's Debates, vol. v. p. 171.

CHAP.  
XVII.

Bill re-  
specting  
expulsion.  
5th Feb.  
to 1st May.

With-  
drawn.

Turbu-  
lence of the  
city.

1st March.  
Proceed-  
ings of the  
common-  
council.

6th.  
In the com-  
mon-hall.

THE efforts of opposition on the popular to-  
pic of Wilkes's expulsion did not yet terminate.  
A motion was made for leave to bring in a bill  
to regulate the consequences of expulsion from  
the house; it was read a first time, and after-  
wards frequently discussed in a committee; but  
at length Mr. Herbert, the member with whom  
it originated, withdrew it from further no-  
tice.

THE members in opposition were encouraged  
and supported in their exertions by a corre-  
sponding turbulence which was generally pre-  
valent in the city of London, particularly  
among the lower class. A statement of their  
proceedings becomes necessary for the perfect  
understanding of the subsequent transactions  
in parliament. A memorial signed by six livery-  
men was laid before the common-council,  
complaining that the petition presented to the  
king the preceding year, had not been an-  
swered, and requesting the convention of a  
common-hall, for the purpose of taking pro-  
per measures for the re-establishment and se-  
curity of their ancient rights and franchises.  
This memorial occasioned great debates in the  
common-council: it was supported by the  
lord-mayor and the sheriffs, and opposed by  
all the rest of the aldermen; but such was the  
prevalence of the sentiments by which it was  
dictated, among the lower order of members,  
that the motion for calling a common-hall,  
to address a remonstrance to his majesty, was  
carried by a considerable majority.<sup>h</sup>

THE common-hall was attended by nearly  
three thousand of the livery. The lord-mayor

<sup>h</sup> 5 aldermen and 109 commoners, against 15 aldermen and 61  
commoners.

spoke in the popular style, of the violated freedom of election; of little, paltry, rotten boroughs; of the number of placemen and pensioners; and of the more equal representation of the people. A prepared remonstrance was then produced, analogous in its contents to the lord mayor's speech, and proffered for signatures. It stated that, under a secret malignant influence, which through each successive administration had defeated every good and suggested every bad intention, the majority of the house of commons had deprived the people of their dearest rights. "They have done a deed," it proceeded, "more ruinous in its consequences, than the levying of ship-money by Charles the First, or the dispensing power assumed by James the Second. A deed which must vitiate all the future proceedings of this parliament, for the acts of the legislature itself can be no more valid without a legal house of commons, than without a legal prince on the throne. Representatives of the people are essential to the making of laws; and there is a time when it is morally demonstrable, that men cease to be representatives. That time is now arrived. The house of commons do not represent the people. We owe to your majesty an obedience, under the restriction of the laws for the calling and duration of parliaments; and your majesty owes to us, that our representation, free from the force of arms or corruption, should be preserved to us in them. Had the parliament under James II," the remonstrance observed, "been as submissive to his commands, as it is at this day to the dictates of a minister, instead of clamours for its meeting, the nation would have rung as now with out-cries

CHAP.  
XVII.  
1770.

"cries for its dissolution. The forms of the  
"constitution, like those of religion, were not  
"established for the form's sake, but for the  
"substance. And we call God and man to  
"witness, that as we do not owe our liberty to  
"those nice and subtle distinctions, which  
"places and pensions, and lucrative employ-  
"ments have invented; so neither will we be  
"cheated of it by them: but as it was gained  
"by the stern virtue of our ancestors, by the  
"virtue of their descendants it shall be pre-  
"served." After other observations of the  
same kind, they concluded by praying for a  
dissolution of parliament, and the removal of  
the king's evil ministers for ever from his  
councils.

Delivered  
to the king  
on the  
throne.

14th Mar.

THIS arrogant paper was received by the li-  
very with transports and shouts of applause, and  
ordered to be delivered to the king on the throne.  
As it was intitled an Address, Remonstrance,  
and Petition, some difficulties arose at St.  
James's respecting the mode in which it should  
be presented; but at length the king granted  
the required audience. The lord-mayor, and a  
train of common-council men, livery-men, and  
city officers, amounting to upwards of two hun-  
dred, were introduced: the common serjeant  
began to read the address, but abashed and terri-  
fied in his progress by a due consideration of the  
insolence of its contents, was unable to proceed;  
the common clerk laboured under no such dif-  
ficulties, he took the paper and read it to an  
end. The king's answer was discreet, and  
spirited; he said, "I shall always be ready to  
"receive the requests, and to listen to the com-  
"plaints of my subjects; but it gives me great  
"concern to find that any of them should have  
"been so far misled as to offer me an address  
"and

His an-  
swer.

“and remonstrance, the contents of which I  
 “cannot but consider as disrespectful to me,  
 “injurious to my parliament, and irreconcil-  
 “able to the principles of the constitution.  
 “I have ever made the law of the land the  
 “rule of my conduct, esteeming it my chief  
 “glory to reign over a free people: with this  
 “view I have always been careful, as well to  
 “execute faithfully the trust reposed in me, as  
 “to avoid even the appearance of invading  
 “any of those powers which the constitution  
 “has placed in other hands. It is only by  
 “persevering in such a conduct, that I can  
 “either discharge my own duty, or secure to  
 “my subjects the free enjoyment of those rights  
 “which my family were called to defend; and  
 “while I act upon these principles, I have a  
 “right to expect, and am confident I shall  
 “continue to receive, the steady and affection-  
 “ate support of my people.”

THE proceedings of the city did not pass  
 without due animadversion in parliament. The  
 day after the presentation of the remonstrance,  
 a motion was made in the house of commons  
 for an address to the king, requesting a copy  
 of that paper, and the answer. The lord-mayor,  
 the sheriffs Townshend and Sawbridge, and al-  
 derman Trecothick, who were all members of  
 parliament, avowed the share they had taken in  
 the transaction, and declared themselves ready  
 to abide the consequences. The address was  
 principally resisted on the ground of inexe-  
 diency, and the arguments on this head were  
 ably and ingeniously urged by the marquis of  
 Granby, Burke, Wedderburne, and George  
 Grenville. They were answered by general  
 Conway, who averred that the dignity of par-  
 liament required interference at all events: the  
 right

Proceed-  
 ings in par-  
 liament.  
 15th.

CHAP.  
XVII.  
1770.

19th Mar.  
The house  
of com-  
mons ex-  
press dis-  
approba-  
tion of the  
remon-  
strance;

and joint-  
ly with the  
lords ad-  
dressed the  
king.

Remon-  
strance of  
Westmin-  
ster.  
28th.

And Mid-  
dlesex.  
31st.

12th April.  
Wilkes  
discharged.  
18th.

right of the people to petition was undoubted; yet if such petition contained treason, or other high offence, it certainly was punishable; and if not punishable in the common courts, yet in parliament it certainly was. The motion being carried,<sup>i</sup> the papers were laid before the house, and Sir Thomas Clavering moved, that to deny the legality of the present parliament, or to assert their acts to be invalid, was unwarrantable, tending to destroy the allegiance of the subject, by withdrawing him from obedience to the laws. A long and animated debate ensued, and at three o'clock in the morning the house, on a division, decided in the affirmative.<sup>k</sup> An address was afterwards carried, agreed to by the lords on a conference, and presented to the king, who returned a most gracious answer.

THESE proceedings were far from diminishing the ardour for persecuting the sovereign with petitions. The inhabitants of Westminster presented, under the same title, an address similar to that of the city of London; and their example was followed by the county of Middlesex, on the recommendation of the reverend John Horne, who had already distinguished himself on the popular side in the questions relative to Wilkes's election, and on other occasions.

THE term of Wilkes's confinement was now expired, and his fines being paid out of the public subscription, he was discharged, on giving the required security. He published an address to the freeholders of Middlesex, accusing the ministers of persecution and injustice; and declaring his readiness to die in the cause of liberty.

<sup>i</sup> 271 to 108.

<sup>k</sup> 284 to 127.

ON the day that terminated the existence of Mr. Herbert's bill, lord Chatham brought in one for reversing the adjudication of the house of commons in the case of John Wilkes. The motion for a second reading was strongly supported by lord Temple, lord Lyttelton, and the duke of Richmond. Lord Chatham stated the fact of eleven hundred and forty-three freeholders having voted for Wilkes, and only two hundred and ninety-six for Luttrell; derided the new kind of state arithmetic, which made the smaller exceed the greater number, and said, it was flying in the face of all law and freedom, robbing the freeholders of their liberty, and making a mere farce of the birth-rights of Englishmen. "I am afraid," he concluded, "this measure has originated too near the palace: I am sorry; but I hope his majesty will soon open his eyes, and see it in all its deformity."

LORD POMFRET called to order; but lord Chatham refused to retract: he esteemed the king in his personal, and revered him in his political capacity; but hoped he would redress the existing grievances, by dissolving the house of commons.

LORD MANSFIELD cited many cases where persons had been expelled the lower house, without any attempt to interfere by the lords. He decried the argument drawn from the numbers on the poll, as a gross mistake. Mr. Wilkes, he said, was considered as nobody in the eye of the law, and consequently Luttrell had no opponent. In all contested elections, the party complaining of illegal proceedings does not apply for redress to the electors, or to the people at large, but to the house of commons, who

CHAP  
XVII.

1770.

1st May.  
Lord Chatham's bill for reversing the adjudication of the commons respecting Wilkes.

Opposed  
by lord  
Mansfield.

CHAP.  
XVII.  
~~~~~  
1770.

are the only judges, and from whose determination there is no appeal. The freeholder is merely to determine on his object, by giving his vote; the ultimate power lies with the house of commons, which judges of his being a legal object of representation in the several branches of his qualifications. The people were already sufficiently violent, but if the superior branch of the legislature should join them, the public encouragement of their proceedings would occasion such a scene of anarchy and confusion, that he almost trembled at the thought.

Supported
by lord
Camden.

LORD CAMDEN declared he had reserved himself till that period, but would reply to lord Mansfield, whose opinions were pregnant with unconstitutional doctrines. He combated the arguments drawn from Wilkes's incapacity, and averred that the house had refused to receive him as a member, merely because they would act in an arbitrary dictatorial manner, in spite of law or precedent, against reason or justice: a secret influence had said the word, "Mr. Wilkes shall not sit;" and the fiat was to be obeyed, though it tore up the heart-strings of the constitution. Complimented lord Mansfield on his expertness in referring to cases; he said, the question should be taken upon a more broad and general bottom, not as candidate against candidate, not as Mr. Wilkes opposed to colonel Luttrell; but as the electors at large against the assumed power of the house of commons. In the case of ship-money, the people justly joined in the cry, and it ceased to be a case between Mr. Hampden and the king, but the people of England against venal and oppressive ministers.

Repeating

Repeating the words of lord Chatham, he proceeded, "I will join my feeble efforts to the voice of the people; and the louder I hear them cry, the more I shall be pleased." The judgment on the Middlesex election had inflicted a more dangerous wound on the constitution, than any which were given during the twelve years absence of parliament, in the reign of Charles I; should this bill be rejected, he trusted in the good sense and spirit of the people, to renew their claims to a true and free representation in parliament, as an inherent and inalienable right; and if, session after session, the same fatal influence should continue, Englishmen would not forget this bill at the next general election; but make such a compact with the elected, as to procure an equal representation, and a full redress of the many difficulties under which they laboured.

On the rejection of the bill,¹ a short protest was signed by thirty-three peers; and lord Chatham required that the house might be summoned for the fourth, on a motion of great importance relative to the king.

Rejected.
Protest.

This request being complied with, lord Chatham moved a resolution, on the answer to the remonstrance of the city of London; affirming, that the advice by which the king had acted was of a most dangerous tendency, inasmuch as the clearest rights of the subject had been indiscriminately checked with reprimand; and the afflicted citizens had heard from the throne itself, that the contents of their humble address, remonstrance, and peti-

4th May.
Lord Chatham's motion on the king's answer to the remonstrance.

¹ 89 against 43.

CHAP.
XVII.
1770.

tion, could not but be considered by his majesty as disrespectful to himself, injurious to his parliament, and irreconcilable to the principles of the constitution.

THIS answer, lord Chatham said, was so harsh, that to equal it baffled his reading in the history of the country. The king's judgment or disposition would not have permitted such an answer; and poor as his opinion of the administration was, he could not suppose it to be a joint advice; if many were consulted some one of them must have seen the absurdity. "For whoever they were, " (I "care not of what consequence) they were "either fools or knaves; if the latter, they "deserved the contempt of an injured people; "if the former, they ought to have been sent "to school before they were suffered to take "the lead in public office." In the course of his speech, lord Chatham offered unbounded adulation to the city, and averred, that colonel Luttrell was no representative of the people, but a nominee, thrust in by foes to the laws of the land, and the established principles of the constitution.

Opposed
by lord
Pomfret.

LORD POMFRET, in a short answer, observed, that the house had of late been almost intirely occupied by a popular nobleman on a popular topic, to the great hindrance of other business; but the lords could not be expected, in so short a space as six weeks, to change their opinions so intirely, as to condemn a measure they had then approved, and on which they had, in an address to the king, applauded the propriety of his answer.

It was the principal aim of the motion to extract from the ministry some defence or explanation,

planation, which might afford means of inflaming the discontents of the city; but in defiance of much abuse and personality, they maintained a prudent silence, and the motion was lost.

CHAP.
XVII.
1779.

LORD CHATHAM, not deterred by the ill success of this effort, moved for an address to dissolve the parliament. The house, apprized of the object of these motions, destroyed the intended effect, by prohibiting the admission of any persons but members of the house of commons, and sons of peers. The debates are not recorded, but the question was negatived.

14th
His mo-
tion for a
dissolution
of parlia-
ment.

SEVERAL attempts were made in this session to alter the laws respecting parliament, and the members of both houses. Mr. Dowdeswell, in a committee on the state of the nation, moved to bring in a bill, disqualifying certain officers of the excise and customs from voting at elections. The motion was chiefly supported by statements of the increased number of revenue officers, and the danger accruing to liberty from their votes and influence. On the other side it was observed, that the principal officers were already disqualified from sitting, and all persons in the excise, customs, or post-office, under severe penalties, enjoined from intermeddling, by persuasion or dissuasion, in the election of representatives. The proposed bill was therefore unnecessary, and it would be an act of cruelty to deprive so many people of their franchise. The motion was lost.^m

Mr. Dow-
deswell's
motion to
disqualify
revenue
officers.
12th Feb.

An act was passed for altering the law relating

Law for
annulling

CHAP.

XVII.

1770.

the protec-
tionsgranted by
peers to
their ser-
vants.Excellent
speech of
lord Mans-
field.

to privilege, so far as it extended to the effects and domestics of members of either house. Bills of this nature had been frequently brought into parliament, but were always considered as mere attempts to engage, by an affected self-denial, a temporary popularity, and therefore rejected. When the present bill had passed the commons, and was brought into the house of peers, it was warmly opposed by lords Sandwich and Marchmont; but defended with great vigour by lord Mansfield, who made a most able speech. He demonstrated from the best principles, that the privilege was not so valuable as was supposed, and from his experience in the court where he presided, deprecated the rejection of a measure calculated to relieve the practice of the law from many impediments and embarrassments. Being accused of patronizing the bill for the sake of obtaining popularity, he made this animated answer: "If the noble lord means by popularity the applause be-
 "flowed by after-ages on good and virtuous
 "actions, I have long been struggling in that
 "race; to what purpose all-trying time can
 "alone determine: but if he means that
 "mushroom popularity which is raised with-
 "out merit, and lost without a crime, he
 "is much mistaken. I defy the noble lord
 "to point out a single action in my life,
 "where the popularity of the times ever had
 "the smallest influence on my determina-
 "tions. I thank God, I have a more perma-
 "nent and steady rule for my conduct—the
 "dictates of my own breast. Those who have
 "foregone that pleasing adviser, and given up
 "their minds to the slavery of every popular
 "impulse, I sincerely pity: I pity them still
 "more,

“ more, if vanity leads them to mistake the
 “ shouts of a mob for the trumpet of fame.
 “ Experience might inform them that many
 “ who have been saluted with the buzzas of a
 “ crowd one day, have received their execra-
 “ tions the next: and many, who by the popu-
 “ larity of their times have been held up as
 “ spotless patriots, have, nevertheless, appeared
 “ on the historian’s page, when truth has tri-
 “ umphed over delusion, the assassins of liberty.
 “ Why then can the noble lord think I am am-
 “ bitious of present popularity, that echo of
 “ folly, and shadow of renown?” The bill
 passed.

CHAP.
 XVII.
 1705.

ANOTHER measure of still greater import-
 ance and utility, was George Grenville’s bill
 for regulating the proceedings of the house of
 commons, on controverted elections. Since
 the famous Aylebury case, in 1704, the house
 of commons was considered as sole judge of
 the qualifications of electors, and all other
 matters relating to the return of members.^a
 However well founded the claim, the practice
 was attended with many inconveniences. At
 first the contested cases had been tried in a select
 committee, consisting of some of the most learn-
 ed members; but afterwards the practice pre-
 vailed of hearing the petitioners by counsel at
 the bar. Petitions were frequently so nume-
 rous, as materially to impede public business;
 and substantial justice was seldom obtained.
 As the judges were not bound by an oath, or
 even promise upon honour, to resist the impulse
 of partiality, their suffrages were often biased
 by party, or personal considerations. To re-

Mr. Gren-
 ville’s bill
 for decid-
 ing peti-
 tions on
 controvert-
 ed elec-
 tions.

^a Coxe’s Memoirs of Sir Robert Walpole, vol. i. chap. 4. p. 20.
 4to. edit.

CHAP.
XVII.
1770.

medy these evils, Mr. Grenville's bill provided that every case of contested election should be referred to a committee of thirteen members, chosen by the sitting member and the petitioner, from a list of forty-nine, the result of a ballot. Each party was empowered to nominate one person besides those thirteen, to sit in the committee; which was authorised to send for persons, papers, and records, and bound by oath to decide impartially. Such is the outline of this celebrated and excellent law.

21st Mar.

30th.

The different clauses met with considerable opposition in the committee, and many were new modelled. On the third reading, a strenuous debate took place; the rejection of the bill was moved by Welbore Ellis, and seconded by Fox; the effort failed, although supported by lord North and several ministerial members; it was opposed by Dunning, Burke, Wedderburne, and Sir William Baggott. In the house of lords the bill passed without much animadversion, attended only with a panegyric from lord Chatham.

5th April.

Inquiry
into the
civil list.
28th Feb.

An inquiry into the state and expenditure of the civil list was one of the popular topics urged in both houses. Mr. Grenville moved for an account of the civil list expences for one year, ending the fifth of January. The late king, it was said, left a saving of one hundred and seventy thousand pounds, which came to the hands of his present majesty; besides which, and his own revenue, he had received from parliament an aid of five hundred and thirteen thousand pounds; the civil list expences had greatly increased in 1768, and it was inferred that the money was employed during

during the general election to the injury of the people.

CHAP.
XVII.
1770.

THE motion was resisted on grounds of decency, convenience, and expediency; and rejected.^o

Mr. DOWDESWELL afterwards moved for certain accounts, relative to the king's debts in 1762, 1763, 1765, and 1766, and the amount of money in the exchequer at the late king's decease. The motion was opposed by lord North; but Mr. Dowdeswell having, in the course of his speech, reflected on lord Bute, lord Mount Stuart successfully requested that the accounts might be granted, to clear his father's character.

12th Mar.

IN a committee on the state of the nation, Mr. Dowdeswell required an address, reciting the excess of expenditure, and requesting the king to retrench his expences, and enforce on his servants the practice of economy, which would tend most to the honour and dignity of the crown, the satisfaction of his own royal mind, and the content of his people. Lord North, after shewing the impropriety, want of respect, and indecency of the address, moved that the chairman should leave the chair, and the committee, (which had existed eight months without producing any good consequence,) should be dissolved. This motion was carried.^p

2d April.

THE next day, Mr. Dowdeswell ineffectually repeated his motion in the house. Sir Edward Ashley also moved for a list of pensions, which occasioned a debate, but was rejected.^q

3d.

5th.

^o 262 to 165.

^p 208 to 75.

^q 164 to 108.

CHAP.
XVII.

1770.

16th.

In the upper house.

SIMILAR attempts were made in the upper house: lord Chatham, in moving for an inquiry into the state and expenditure of the civil list, took the opportunity of vindicating himself against the charge frequently made, of granting numerous pensions. He produced a list, and after speaking of several of the parties in terms of appropriate praise, mentioned lord Camden, as one whose integrity had made him once more a poor and private man, he was dismissed for his vote in favour of the right of election in the people. These intemperate words were taken down, but no consequences ensued. The motion was negatived.

Petition from the American merchants.

24th Mar.
Repeal of duties, except tea.

THE affairs of America formed the most important object of parliamentary attention, and were debated with the usual zeal and violence. A petition was presented from the merchants of London trading to America, describing the importance and advantages of the former traffic, and its total suppression by combinations in consequence of the late tax-laws, and praying relief. Lord North having controverted several statements in the petition, moved for leave to bring in a bill, repealing all the duties except those on tea. Governor Pownall, not satisfied with this partial repeal, proposed, as an amendment, that it should extend to all the duties, and supported his motion by a long speech, replete with considerations of political expediency, and abstract right.

THE debate was conducted in an extraordinary manner; as several opinions were avowed, which did not accord either with the original motion, or the amendment. Mr. Grenville said, he had acted systematically in imposing the stamp duties, which he had reason to think

think could and would be paid. The succeeding ministry had also pursued a system which then perhaps was the next best, that of repealing the law; replacing America in its pristine condition; and at the same time preserving the power of the English parliament, by a law declaring the right of taxation. The next ministers laid a tax diametrically repugnant to commercial principles, bringing in no money to the state (the clear annual amount being under sixteen thousand pounds) and throwing North America into a tenfold flame. Although he was of opinion the Americans should be eased, yet as the ministry had formed no systematical plan, he considered the intended partial repeal as futile, and the amendment inadequate. He did not think the first proposal would be of any real service, nor would he assist in forcing the ministry to adopt a measure which he thought very little better, and therefore should not vote.

GENERAL CONWAY, Sir William Meredith, and colonel Burre supported the amendment; while lord Harrington and Welbore Ellis opposed both the motion and the amendment; they saw no probability that repealing the tax would quiet America, and therefore were desirous of putting the act in execution absolutely, and with the united powers of the nation. The amendment was rejected,^r and the act ultimately passed according to the minister's first proposal. An ineffectual motion was afterwards made, to repeal the duty on tea.

9th April.

ALDERMAN TRECOTICK, who failed in this attempt, succeeded in obtaining papers relative to American affairs. Governor Pow-

26th.
Motion for
papers.

CHAP.
XVII.

1770.
8th and
9th May.
For ex-
amination
of the in-
structions
to gover-
nors.

nall founded on them a motion for an address, praying for the examination of the several powers and authorities contained in the commissions granted, and in the orders and instructions issued, to the provincial governors and commanders in chief; to the end, that such commissions, instructions, and orders, might be explained, corrected, and amended, where they clashed or interfered with each other, or contained powers and authorities not warranted by law, and the constitution. The governor supported his motion by a speech of great length, in which he panegyricized the loyalty and good dispositions of the colonists, and severely blamed the conduct of Sir Francis Bernard. He was seconded by the lord-mayor, and a firenuous debate ensued, which continued two days, and in which some recent transactions in America were vehemently discussed; but the motion was rejected.*

18th May.
Motions in
the lords.
19th.
Prore ga-
tion.

In the house of lords, the duke of Richmond moved eighteen resolutions, which, after some discussion, were disposed of by a motion of adjournment; and on the next day the king terminated the session.

* 197 to 79.

CHAPTER THE EIGHTEENTH:

1769 — 1770 — 1771.

View of America. — Effect of receiving the statute of Henry VIII. — In Massachusetts Bay. — Proceedings of the legislature. — Proceedings in other provinces. — Non-importation committees formed. — Examination of the conduct of ministry. — Conduct of the people of Boston towards the military. — Riot in Boston. — Town-meeting. — Soldiers removed. — Efforts to inspire revenge. — Trial, and acquittal of captain Preston and his soldiers. — General court removed to Cambridge. — Unpopularity of the non-importation agreement — Which is renounced on the repeal of the duties. — Remonstrance of the city of London to the king. — Behaviour of Beckford. — Approved by the city. — Address on the birth of a princess. — Address of the city to lord Chatham. — Death of Beckford. — Combination of France and Spain. — Account of Falkland's Islands. — Expulsion of the English colonists by the Spaniards. — Information received in England. — Exertions of ministry. — Conduct of opposition. — Westminster meeting. — Debates in parliament on the aggression of Spain. — Progress of negotiation. — Unwillingness of France to engage in war. — Dismissal of Choiseul. — Concession of Spain, and final adjustment. — Changes in the ministry. — Disagreement between the

two houses of parliament. — Arrangement with Spain approved. — Trials of certain printers for publishing Junius's Letters. — Discussion of lord Mansfield's doctrine in cases of libels. — He leaves a written document with the clerk of the house of lords. — Disfranchisement of the electors of New Shoreham.

CHAP.

XVIII.

View of
America.

IN occupying themselves about America, the British parliament yielded only to the dictates of propriety and necessity: the situation of affairs claimed interference, but the measures adopted were not judicious or salutary. While the cause of American insubordination was so vehemently defended by advocates of unparalleled courage, credit, and ability, it could not be expected that the exertions of authority in restraining the turbulent, and restoring the reign of order, should be attended with success. Every effort of coercion was resisted as an illegal incroachment, while all conciliatory attempts were considered as the results of timidity, and pledges of victory to future opposition.

Effect of
reviving
the statute
of Henry
VIII.

THE measure of the Grafton administration, which announced the revival of the obsolete statute of Henry VIII, produced extensive ill-consequences; the tyrannical spirit of that proceeding was so obvious, that in the provinces where the inhabitants were tranquil and loyal, it was felt as an invasion of liberty, and the people were obliged to those who, in the other states, were willing to brave the storm, and by a display of courageous hostility, secure their freedom.

IN

IN Massachusetts Bay, against which this measure was principally directed, and where the presence of soldiers inspired some little awe, a temporary consternation ensued: the writers of seditious publications desisted for a few weeks, but speedily resumed their labours. The new assembly, convened in pursuance of the king's writ, adhering to the spirit of their predecessors, stated, in a message to the governor, that they could not proceed with freedom, while ships of war were in the harbour, and a military force in the town of Boston; but the governor answered, he had no authority to remove either ships or troops. The assembly proceeded to the election of a council; carefully excluding every person attached to government, or who, by his talents and influence, had contributed to restrain or oppose the turbulent party: they then replied to the governor, that a military force assisting in the execution of laws, was inconsistent with the spirit of a free constitution: the unwillingness of a people in general, that a law should be executed, was strong presumption of its being unjust: it could not be the law of the people, as they must consent to laws before they can, in conscience, be obliged to obey. They voted charges against their governor for misconduct, and a petition for his removal, which was transmitted to their agent to be laid before the privy-council; and passed a vote, declaratory of their right, as British subjects, to be tried for treason, felony, or any other crime, within the colony; that they might not be deprived of the benefit of a jury of the vicinage, or of the advantage of summoning and producing witnesses. Governor Bernard pro-

CHAP.
XVIII.

In Massachusetts Bay.

31st May
1769.
Proceedings of the
legislature.

13th June.

27th June.

8th July.

rogued

CHAP.

XVIII.

1769.

Proceed-
ings in
other pro-
vinces.

rogued the general court, and during the recess returned to England.^a

THE example of the assembly of Massachusetts Bay was followed in several other provinces; they passed severe strictures on the conduct of administration, and entered into resolutions declaratory of their rights in cases of trials for treason; which, in some of the colonies, were expressed in terms so acrimonious that the assemblies were dissolved. This measure, far from producing the intended effect, increased the spirit of disaffection: the members of the legislative bodies returning to their homes, and mixing with their constituents, extended the influence of the opinions they had previously expressed and encouraged, and to which they had the credit of appearing as martyrs.

Non-im-
portation
committees
formed.

THE prevailing resentment against the British government, facilitated the operations of those who were desirous of distressing the mother-country by anti-commercial combinations. Committees were appointed in the several towns, whose duty it was to examine cargoes on their arrival from Great Britain, and report to their constituents, in what manner the terms of association had been adhered to; votes of censure were passed on those who infringed them, and their names were published as enemies to their country. These proceedings alarmed the merchants of London, and produced the application to parliament which has already been mentioned.

^a Almon's Collection of Papers, vol. i. p. 226 to the end. Steedman's History of the American War, vol. i. p. 60, et seq. While in England governor Bernard was tried (28th February 1770) at the cock-pit, on the articles preferred against him by the general assembly of Massachusetts Bay, and acquitted. See annual Register, 1770, p. 76. Gentleman's Magazine, 1770, p. 139 and 265.

LORD NORTH's facility in yielding to this application was an unfortunate measure. The associations in America were always framed or sanctioned by mercantile speculators, who had large stocks of British goods in their possession; but according to the state of labour, and the difficulties of commerce which then prevailed, a perseverance of two years would have reduced the Americans to the necessity of applying again with abject humility to Great Britain, or of living on the produce of their own soil, in a state of general privation of every luxury to which they had been accustomed: in a state which would have reduced the most opulent of the associators to envy the condition of a common mechanic, or day-labourer at home. If it was desirable to the minister to coerce the Americans, they had furnished him with the means; for by taking advantage of their combinations, and issuing a prohibition against the exportation of drugs, and various other necessaries, except on terms of proper submission, their own miseries would have produced such dissensions, and created such a general abhorrence of the spirit of resistance, that a long period must have elapsed before it could again have been exhibited with effect. If the ministry were afraid to pursue this bold course, they ought to have conciliated the colonists by a total repeal of the obnoxious law, and not have left the Americans, without a possibility of experiencing the least inconvenience, in possession of a plausible ground of complaint.

At the time when lord North was preparing to restore, if possible, contentment to the colonists, they were again engaged in acts of outrage, which demanded severe correction. While four regiments were quartered at Boston, the

CHAP.
XVIII.
1769.
Examination of the
conduct of
ministry.

Conduct
of the pro-
ple of Bos-
ton to-
wards the
military.

CHAP.
XVIII.
1769.

inhabitants were kept in awe by their numbers, and maintained a sullen tranquillity; but the regiments being removed, they lost all fear, and displayed their animosity to government by insults on the military, who were abused and vilified in the newspapers, and every opportunity taken to degrade and expose to the hatred and contempt of the populace. The soldiers were neither by education, nor the habits acquired in the service, disposed to bear such treatment with patience, and the peace was frequently disturbed by contentions and affrays between them and the people. In this state of mutual animosity, each party imputed to the other views and designs which were probably never entertained. The Bostonians were accused of a project to expel the military by force, and of having engaged a party from the country to assist in executing it.^b The soldiers were charged with a systematic design to urge the people beyond their patience, that a moment of excess might furnish a pretext for a general massacre and plunder.^c Of the first of these accusations no evidence has ever appeared: the latter refutes itself; as the military, if they had formed such a design, would have executed it before they were weakened by the departure of half their force.

Riot in
Boston.

2d March,
1770.

The quarrels of individuals, and small parties, in process of time, produced a general sentiment of rancour, which occasioned a more important contest. A dispute arose between the soldiers and the rope-makers who worked in Boston, and many circumstances of irritation having occurred, measures were taken on both

^b Stedman's History of the American War, vol. i. p. 75.

^c Narrative of the horrid massacre in Boston, passim.

5th March.

sides for a general engagement. Unfortunately, all the disputes between the townsmen and the soldiers were kept concealed from the officers: the military would not impeach themselves, and the people maintained a lofty and supercilious reserve, disdaining to refer their grievances to the arbitrament of men whom they neither esteemed nor respected. In consequence of the previous disposition of the parties, and the fury excited by recent transactions, a serious riot was raised, the commencement and conduct of which are differently related, as prejudice or interest prevail, nor can any of the proceedings be recounted with the confidence arising from a clear and well-connected narrative.

It appears that an affray took place in the evening between two soldiers and a party of the lower order of people, upon which a mob was immediately raised. To increase the number of their partizans, the Bostonians broke into two meeting-houses, and rang the alarm-bells, which were the general signals of fire: they also ran about the streets calling on the people to leave their habitations and defend themselves. By these means an immense and exasperated multitude was collected. Captain Preston, the commanding officer on duty, who knew nothing of the late transactions, and considered the alarm to be really, as it was apparently, excited by fire, received information of the commotion with surprise. He repaired to the main-guard, and seeing the crowd flock towards the custom-house, and hearing the threats of the populace, became apprehensive of some attempt to obtain possession of the chest containing the king's money; he was also in-

CHAP.
XVIII.
1770.

formed that the people had expressed a resolution to murder the centinel. He summoned to his aid, a non-commissioned officer and twelve privates; and, in order to prevent violence, accompanied the party himself. The mob, who were obliged, by the united efforts of the guards, to keep a certain distance, tried by abusive epithets and defiance, and by throwing stones and snowballs, to irritate the military to a forgetfulness of their duty. Preston parleyed, and attempted to convince the people from the manner in which the men were drawn up, the position in which they held their arms, and the situation in which he himself stood, that no intention could possibly be entertained of firing. While he was thus engaged, one of the mob struck a soldier with a cudgel; the man, irritated at this insult, immediately fired. The captain turning to reprimand him for firing without orders, received a violent blow on the arm with a club. Some persons from behind gave the word, "fire;" but the confusion was so great, that no one distinctly knew from whom it proceeded. Preston repeatedly ordered the men not to fire, but about ten pieces were discharged. The word could not have been clearly understood, nor could it possibly have been given by the officer, since the men in their previous position stood with bayonets fixed, and their arms half-cocked; there are several intermediate words of command, which an officer could not have omitted: besides, had the word been given by the officer, the whole division would have fired at once; whereas from every account it appears, that, after the man who had been struck, two fired, then three, and then five. The result

sult was that four persons were killed, and six or seven wounded: the populace immediately fled with precipitation, but shortly afterwards returned to carry off their friends: the military, apprehensive of a new attack, were again preparing to fire, but captain Preston prevented them by throwing up their pieces with his hand. The whole affair was a scene of hurry and confusion, occupying about twenty minutes. The populace still continued in a state of insurrection: they beat a drum about the streets, calling "to arms;" several officers, who, on a similar call to arms, were hastening to join their comrades, were beat, knocked down, and wounded, and every appearance indicated an intention of further hostility. Lieutenant-governor Hutchinson, and colonel Carr, at length interfered, and the soldiers being ordered to their barracks, the people were induced to retire to their houses.

6th March.
Town-
meeting

THE next day, a meeting of the inhabitants of Boston was held at the town-hall, when, after some warm speeches, they chose a committee of fifteen to wait on the lieutenant-governor, with a message requesting him, as the only possible means of preventing further carnage, to remove the troops. He replied, that without orders from the general, who was at New York, the commanding officers could not remove the military; but promised that measures should be adopted for keeping them in situations where no future inconvenience could arise. This answer was declared to be not satisfactory, and a fresh committee of seven appointed to wait on the lieutenant-governor, with a message to that effect. Mr. Hutchinson immediately made application to the council, who voted, without hesitation or opposition,

CHAP.
XVIII.1770.
Soldiers
removed.

that it was essentially necessary for the good of his majesty's service, to remove the foldiers from the town. Colonel Dalrymple, the commanding officer, gave his word that he would comply, and they were accordingly removed to Castle William, the military duty at the town-house and town-prison being performed by the militia.

Efforts to
inspire re-
venge.

EVERY advantage was taken of this circumstance to inflame the public mind. At the funeral of those who had been killed, a general procession was made through the town; the shops were all shut, and flags exhibited with emblematical devices and inscriptions, calculated to inspire revenge.

Indict-
ment.

A CHARGE of murder was preferred against captain Preston and the foldiers acting under him, who immediately surrendered themselves into custody. Great efforts were used to procure depositions in corroboration of this accusation, and it is probable that had the trial been immediately proceeded in, such was the popular fury, they would have been all sacrificed. The proceedings were however deferred for some months, and in the mean time the news of the partial repeal of the tax act had restored a certain degree of calm. The trial was nevertheless conducted with great warmth, and continued six days. Upwards of fifty witnesses were examined, and the counsel on both sides exerted great ability. Captain Preston was honourably acquitted; as were all the other parties, except two, who were found guilty of manslaughter.^d

24th to
30th Oct.
Trial and
acquittal
of the mi-
litary.

^d Taken from Stedman's History of the American War, vol. i. p. 75; Narrative of the horrid massacre at Boston: printed by order of the town, and reprinted by Dilly and Almon; Account of the riot; Case of Thomas Preston, and account of his trial, inserted in the Annual Register, 1770, p. 211.

THE lieutenant-governor, after the removal of the troops, proceeded to hold the general court of the province; but, justly apprehensive of the influence which their sitting generally produced among the people, he removed them to the town of Cambridge. Irritated at this proceeding, and conscious of the motive, the council and assembly, although the lieutenant-governor's speech pointed out several important topics of consideration, refused to enter on any business unless the governor would convene them at Boston, the usual place.

THE patriots who composed this general court were, in fact, reduced to great difficulties. The self-denial imposed by the non-importation agreement, had become extremely irksome in several of the provinces. Newport, in Rhode island, relinquished the confederacy, and New York meditated a similar proceeding; Portsmouth, the capital of New Hampshire, had never acceded to the measure, and the superior comforts enjoyed by the inhabitants of these places were little diminished by the anathemas of Boston, where trade was on the decline, and where the merchants envied while they decried the effects of a mode of conduct different from their own. While the public mind was in this state, the law arrived for the repeal of duties: the associators gladly seized this opportunity of making an advantageous compromise between their pride and their necessities; they immediately consented to renew their trade with Great Britain, in every article except tea, and orders of more than usual extent were transmitted to the mother-country.*

CHAP.
XVIII.
~~~~~  
1770.  
11th May.  
General  
court re-  
moved to  
Cam-  
bridge.

Unpopu-  
larity of  
the non-  
importa-  
tion agree-  
ment;

Which is  
renounced  
on the re-  
peal of du-  
ties.

\* Stedman, vol. i. p. 77.

CHAP.  
XVIII.

1770.

Remon-  
strance of  
the city of  
London.  
23d May.

THE contest of the city of London with the court was carried on with unabated acrimony and audacity. Before the rising of parliament, a common-council was held for the purpose of framing another remonstrance to the king, in consequence of his answer to the former. This measure was strongly supported by Beckford, and voted by a great majority.<sup>f</sup> The paper was carried to St. James's by the lord-mayor, and a suitable train of attendants: it expressed the deep concern of the city at the awful sentence of censure lately passed upon it, in his majesty's answer from the throne; and after recapitulating the grievances complained of in former addresses, concluded with a prayer to heaven, that his Majesty might reign, as kings only can reign, in and by the hearts of a loyal, dutiful, and free people.

The king's  
answer.Beckford's  
reply.

THE king, in answer, said, He should have been wanting to the public, as well as to himself, if he had not expressed his dissatisfaction at the late address. The lord-mayor, after obtaining permission to reply, begged leave to declare on behalf of his fellow citizens, how much the bare apprehension of his majesty's displeasure would, at all times, affect their minds; the declaration of it had filled them with inexpressible anxiety, and the deepest affliction. He supplicated the king not to dismiss them from his presence without some comfort, and prospect at least of redress. No answer being returned, the lord-mayor and his suite withdrew.<sup>g</sup>

THE

<sup>f</sup> 7 aldermen, 105 commoners, to 8 aldermen, 57 commoners.

<sup>g</sup> View of the history of Great Britain during the administration of lord North, p. 19.—The recorder of London, Sir James Eyre, afterwards chief-justice of the common pleas, declined attending with this address; his conduct gave offence, and was (27th Sept.) made a subject

THE birth of a princess furnished another occasion for the city to display their zeal in giving offence to the king. A court of common-council being held at Guildhall, the conduct of the lord-mayor on the late occasion was, after some discussion, highly approved. Wilkes, who had lately, in defiance of decency, and not without some doubts in point of law, been made an alderman, bore a principal share in this debate. He vindicated Beckford; and alleged, as a reason for not attending at court on the 23d, that from the eagerness of ministry to murder the people, he was convinced if he had gone to St. James's, and only a few boys had shouted, it would have been a pretence for another massacre. On the motion for an address of congratulation, he observed, this did not seem a time for compliments; the citizens of London had been treated of late with great indignity; their petitions received with contempt, their remonstrance with insult; it seemed to be the only study of administration to affront the city, and provoke the people, as instances of which he adduced the favours conferred on relations of lord Holland and lord Barrington, and on governor Bernard, who had been made a baronet, and received a pension, merely be-

CHAP.  
XVIII.

1770.  
22d May.  
28th.  
Beckford's  
conduct  
approved.

ject of investigation before the common-council. In his defence, he alleged that his conscience would not suffer him to be present at the delivery of, much less to read, an address and remonstrance couched in such harsh terms; it appeared to him an indignity to the sovereign and the parliament. This apology was so little satisfactory, that on a subsequent day (12th Oct.) a vote passed by a large majority, that he should be no more advised with, retained, or employed in the affairs of the corporation, being unworthy of their future trust and confidence. The violence and injustice of this vote was abundantly compensated by the esteem and veneration in which the object of it was held during twenty-seven years, the remainder of his life, and by the public regret at the loss of a worthy, upright, and intelligent judge.

cause

CHAP.  
XVIII.  
1770.

cause he was a tyrant, and universally detested by our brethren in America. For these reasons, he observed, the address ought to be very chaste, modest, and reserved, and confined to what he hoped would ever be a subject of real joy to Englishmen, an increase of the Brunswick line.<sup>b</sup>

Address  
on the  
birth of a  
prince.

An address was framed in strict conformity with this advice, and carried up by the lord mayor and several aldermen; the populace did not omit this opportunity to manifest their hatred of those who were attached to the court. The lord-mayor and three aldermen had no sooner passed through Temple Bar, than the gates were suddenly shut against alderman Harley: the mob pelted him with stones and dirt, pulled him out of his carriage, obliged him to take refuge for the preservation of his life, and when he afterwards proceeded in a hackney-coach, followed him to St. James's with fresh insults and renewed injuries. Having committed this outrage, they allowed the city marshal to open the gates, and suffered the rest of the procession to pass unmolested. To protect the king from the renewal of insult, the lord chamberlain informed the lord mayor of his majesty's desire that no reply might again be made to him: the lord mayor demanded a copy of this message in writing, which was refused; and after some altercation, the address was delivered and answered.

Alderman  
Harley in-  
sulted.

1st June.  
Address of  
the city to  
lord  
Chatham.

Far different was the manner in which an address was voted and presented to lord Chatham, who was thanked for his zeal in support of the right of election and petition, and for his promise to use his endeavours that parliaments

<sup>b</sup> Gentleman's Magazine, 1770, p. 273.

might be restored to their original purity, by shortening the period of their continuance, and introducing a more full and equal representation. To this compliment lord Chatham returned a manly and dignified answer: he applauded the city for their perseverance in defending their rights, but informed them some misapprehension had prevailed with respect to his opinions on the duration of parliaments; for he was bound to declare he could not recommend triennial parliaments. He had expressed his earnest wishes for a more full and equal representation; but had thrown out that idea with the just diffidence of a private man, when he presumes to suggest any thing new on a high matter. The remainder of his speech contained expressions of civility appropriate to the address.

CHAP.  
XVIII.  
1770.

His answer.

Soon after this transaction, Beckford died; and his decease materially affected the state of parties in the city. His influence and fortune enabled him to restrain the diversities of opinion which prevailed among the heads of opposition, and unite them in a compact, consistent body; he was succeeded by alderman Trecothick, who being a strenuous supporter of the same measures, no difference was immediately perceptible.

21st June.  
Death of  
Beckford.

29th.

SINCE the conclusion of the peace, continual efforts were used to convince the people that they were reduced to a most ignominious situation, and unrespected among the powers of Europe: Great Britain was represented without an ally, and daily threatened with the renewal of hostilities. Lord Chatham, it is said, predicted, towards the close of the late session, that a great blow either was or would soon be struck

Prediction  
of lord  
Chatham.

in

CHAP.  
XVIII.

in some parts of the world.<sup>1k</sup> This assertion was founded in truth, and clearly shews lord Chat-ham's extensive information, or his political sagacity; but if his intelligence was precise, he greatly exaggerated the importance of an exploit, which though the result of a profound combination, was in itself of very little consequence: namely, the expulsion of the English from Falkland's Islands by a Spanish force.

Combina-  
tion of  
France and  
Spain.

THE sole end of the family compact was to reduce the power of Great Britain; and although the vigorous progress of the campaign in 1762 compelled France and Spain to accede to a disadvantageous peace, Choiseul and Grimaldi, the ministers of those countries, resolved to attack Great Britain, whenever a favourable opportunity should occur. The present moment seemed to afford the desired crisis, as the navy, under the administration of lord Hawke, was left in a neglected state, and utterly unfit to protect the distant possessions of the country against the united efforts of two such powerful enemies. It was therefore agreed, that France and Spain should at the same time attack the British possessions in distant quarters of the globe; but the pacific disposition of Louis XV, arising from love of ease and voluptuousness, and the declining influence of M. de Choiseul, prevented that minister from carrying his part of the project into execution, though he entertained hopes, when hostilities should be commenced, of inducing the king to take up arms in support of his ally.<sup>1</sup>

Account of  
Falkland's  
Islands.

SPAIN began the attack, by forcibly expelling the English from Falkland's Islands, a

<sup>1k</sup> History of lord North's administration, p. 21.

<sup>1</sup> From private information.

possession

possession which, in consequence of this dispute, was elevated to a degree of notice never before bestowed, and which it has not retained. The *Îles Malouines*, called by the English Falkland's Islands, were considered of so little importance, that their first discovery and original name are not clearly ascertained. They have been successively claimed by, and received appellations from the English, Dutch, and French. Captain Davis, a companion of Cavendish, in 1592, is reputed the earliest discoverer; but he did not even assign them a name. Two years afterwards, they were described by Sir Richard Hawkins, who in honour of queen Elizabeth and himself, called them Hawkins's Maiden Land. In 1598, two Dutch navigators, Verhagen and Sebald de Wert, called them Sebald's Islands. They then for more than a century remained unnoticed to such a degree that doubts were entertained of their existence; but a voyage being made into that region in 1689 by Strong, whose journal is preserved in the British museum, he is supposed to have distinguished them by the appellation of Falkland's Islands; the name was adopted by Halley, and from that time inserted in the English maps. The privateers who visited those seas in the reigns of William and Ann, also saw these islands, but were deterred by their dreary appearance from making particular observations. Strong affirmed there was no wood, and Dampier suspected they had no water. A Frenchman, named Frezier, also noticed and called them *Les Malouines*.<sup>m</sup>

HITHERTO changes of name, unattended with events, improvements, or possession, were

<sup>m</sup> Derived from St. Malo.

CHAP.  
XVIII.

the only circumstances which authenticated the existence of Falkland's Islands; but after Anson's return from his celebrated expedition, commenced in 1740,<sup>a</sup> they attracted some attention. The narrator of the voyage, anxious to convince the public that the high opinion entertained of Anson, was not merely founded on the capture of the Acapulco ship, descanted, among other topics, on the national advantage of securing a settlement in Pepy's and Falkland's islands, affirming it to be essentially necessary for future operations against the Spanish settlements in Chili, as it would produce many benefits in peace, and in war render the English masters of the South Sea.

THE credit and influence of lord Anson enabled him to procure, in 1748, the equipment of a squadron for the purpose of obtaining a fuller knowledge of Pepy's and Falkland's islands, and for making further discoveries in the South Sea; but Wall, ambassador from Spain, making repeated remonstrances, the project was finally abandoned, though no declaration was required, by which a right to pursue it at a subsequent period might be considered as absolutely renounced.

Settlement  
made by  
the  
French;

THE magnificent advantages promised in the account of Anson's voyage, and the anxious desire entertained by the French to obtain an equivalent for the ceded dominion of Canada, induced M. de Bougainville, in August 1763, to fit out two vessels, for the express purpose of making discoveries, and effecting an establishment in the Malouines. In 1764, he took

<sup>a</sup> See Smollett's continuation of Hume, vol. iii. p. 41, 141.

possession in the name of the king of France,\* **CHAP.**  
 but afterwards was dispatched to Madrid, and **XVIII.**  
 not only relinquished the settlement in favour **Discovered**  
 of Spain, but accompanied a Spanish governor **to Spain.**  
 to an island, which then received the name of  
 Port Soladad.

MEANWHILE the admiralty of England pre- **Settlement**  
 pared another expedition, under captain Byron, **by Eng-**  
 who sailed in May 1764, and on the 22d **land.**  
 January 1765, took possession of one of the  
 islands, in the name of the king of Great  
 Britain. On his return, a narrative of the  
 voyage was published, in which the new set-  
 tlement was described as an object of the ut-  
 most importance; the island was said to be six  
 or seven hundred miles in circumference, with  
 a spacious and secure harbour, which, in honour  
 of the first lord of the admiralty, was named  
 Port Egmont; it was well adapted for the  
 growth of wood; provided with excellent wa-  
 ter; abounding in vegetables and wild fowl,  
 and supposed to contain iron, and perhaps more  
 valuable ores.

INFLUENCED by this description, the British  
 government, early in 1766, sent captain Mc  
 Bride to Port Egmont, where he erected a small  
 block-house, and stationed a garrison. But  
 his report did not verify the hopes derived from  
 Byron's account; he found a mass of islands,  
 and broken lands, the soil of which was a mere  
 bog, and subject to perpetual storms, which in  
 winter rendered the communication with shore  
 extremely difficult and precarious. Sea-lions  
 and penguins, animals of no worth, were abun-  
 dant; but there were no means of providing  
 sustenance in winter, and summer promised

\* See history of a voyage to the Mal nine or Falkland's Islands,  
 particularly p. 218, of the English Translation in 4to. 1773.

**CHAP. XVIII.** nothing more than a few geese and snipes, and a crop of wild celery and sorrel. Nor did the soil yield to the efforts of cultivation: a garden was prepared, but the plants withered; and even firs, the hardy produce of the bleakest regions, could not resist the climate of Falkland's Islands, but perished like weaker herbage.<sup>p</sup>

28th Nov.  
1769.  
Arrival of  
a Spanish  
schooner.

THE garrison continued in this situation, deriving annually, at a great and unprofitable expence, their supplies from England, unprovided against an assault, which, from the nature of their tenure, they did not expect, when a Spanish schooner, from port Soladad, was observed hovering about the island. Captain Hunt, of the Tamer, immediately warned the Spanish commander to depart from the coast, as belonging to the king of Great Britain, an order which met with instant compliance.

30th.  
Remon-  
strance of  
the Spa-  
niards.

IN two days the schooner returned, with a Spanish officer on board, and letters from Don Philip Ruiz Puente, governor of port Soladad, expressed in terms of civility. The governor affected to be unacquainted with the formation of an English settlement, and to consider the presence of Hunt as accidental; declared his astonishment at the interruption of the schooner's voyage, and suggested that the conduct of the pilot must have been irregular; for he was persuaded that an officer commanding a ship of war, belonging to so civilized a nation, could not be so deficient in the respect due to the Spanish flag, in the king of Spain's dominions.

<sup>p</sup> This account is taken principally from Dr. Johnson's *Thoughts on the late Transactions respecting Falkland's Islands*. Reference has also been had to Bougainville's and Byron's *Voyages*, and Penrose's *Account of the last Expedition to Falkland's Islands in 1772*.

IN answer, captain Hunt asserted, that the islands belonged to his Britannic majesty, both by discovery and settlement, and warned the Spaniards to quit them within six months. The Spanish officer sent from Soladad protested against the pretensions and conduct of captain Hunt, who must be responsible for the ill consequences likely to ensue; the causes of protest were Hunt's threatening to fire if the Spaniard attempted to execute his commission, and particularly for opposing his approach to the English colony; it was finally declared that captain Hunt's entering Soladad harbour, though in an amicable manner, would be deemed an insult. Other letters, answers, and protests ensued in the course of the succeeding month; but were productive of no further consequences.

At length, two Spanish frigates, of considerable force, with troops on board for port Soladad, arrived at port Egmout. The commander, Don Fernando de Rubalcava, wrote a letter to Hunt, expressing great surprize at finding a kind of settlement under the British flag: claimed the dominion as the right of his master, the king of Spain, and accused the British commander of having violated the terms of the last peace; but he would abstain from all other proceedings till he had acquainted his catholic majesty with this disagreeable affair. Captain Hunt again asserted the king's right to the territory, but behaved with polite attention to the Spanish commander, and assisted him to procure a supply of water, a want of which he had alleged as a motive for touching at port Egmout.

20th Feb.  
1770.  
Arrival of  
two Spanish  
frigates.

THE situation of affairs was now become

CHAP.  
XVIII.

1770.

Captain  
Hunt sails  
for Eng-  
land.4th June.  
Arrival  
and pro-  
ceedings of  
a Spanish  
armament.  
7th.

so critical, that Hunt thought it advisable to return to England; and he left captain Maltby in the *Favourite*, of sixteen guns, chief in command: the *Swift*, also a sloop of sixteen guns, which, with the *Favourite*, constituted the whole naval force left after Hunt's departure, was unfortunately overset in the straits of Magellan; three of the crew were drowned, and the rest with the utmost difficulty saved.

SHORTLY after this event, a Spanish frigate put into port Egmont, under pretence that she had been fifty-three days from Buenos Ayres, going to port Soladad, and was distressed for water. In a few days the remainder of the force arrived; and it then appeared that they had been at sea but twenty-six days, and had sailed for the express purpose of expelling the English from port Egmont. For this exploit they had equipped a formidable force; they had on board upwards of sixteen hundred men, a hundred and thirty-four pieces of cannon, belonging to the ships, and a train of artillery, and other materials, sufficient for the investment of a regular fortification; while the English force, on shore, consisted only of four pieces of cannon, unfit for service, and a wooden block-house. A Spanish broad pendant was immediately hoisted; captain Farmer ordered the men, who had belonged to the *Swift*, to come on shore for the defence of the settlement; and captain Maltby, intending to bring the *Favourite* nearer into the cove, was hailed by the Spanish commander, who threatened immediately to fire into him, if he weighed anchor. Maltby, notwithstanding this menace, stood out to sea; two shot were fired, which fell to leeward, and three of the Spanish frigates, in imitation

imitation of the English commander's example, quitted the harbour. Maltby sent an officer to the Spanish admiral, to know why he had fired, and received for answer, that the shot were merely meant as signals.

A CORRESPONDENCE now commenced between the British and Spaniards, by a message from captain Farmer, requiring the frigates, as they had obtained the necessary refreshments, to leave the islands without delay. The Spanish commander, John Ignacio Madariaga, wrote the same day to both the commanders, advising them to consider the immense superiority of his force, and the harmony reigning between their respective sovereigns, and to quit the port immediately; otherwise he would be compelled, though reluctantly, to use hostilities. The ensuing day he wrote another letter to the same effect, requiring a categorical answer in fifteen minutes. In reply, captain Maltby insisted on the right of continuing; remonstrated against the Spaniards obliging him to retire by means of their superior force, and announced his resolution to maintain the honour of the British flag. Madariaga returned, that it was not then proper, nor was it his business, to discuss questions of right; but he should do what he thought just, submitting to the British and Spanish courts the decision of propriety; and he desired the captains to send an officer, who might view his force, and convince them of the inutility of resistance.

IN the night, captain Maltby landed fifty of the Favourite's men, with two six-pounders, ten swivels, small arms and ammunition: the next morning the Spaniards disembarked part of their troops to the northward. Having ad-

CHAP.  
XVIII.  
1776.

The Eng-  
lish ex-  
pelled.

vanced half way to the block-house, the rest of their boats, with the remainder of their troops and artillery, rowed into the cove, covered by the fire of the frigates. The English fired a few shot; but finding resistance ineffectual, hoisted a flag of truce, and desired articles of capitulation. The terms were in themselves sufficiently haughty; an immediate surrender and evacuation of the island; and this unconditional submission was rendered more irksome by a stipulation, that the British forces should not depart for twenty days. To enforce submission, the Favourite's rudder was taken off, and carried on shore. The obvious intent of this proceeding was to allow ample time for a Spanish vessel to reach Europe with intelligence before any could be received in England, and the harshness of the proceeding is not palliated by the forbearance of Madariaga, in not seizing the few unimportant effects possessed by the English.<sup>p</sup>

3d June.  
Arrival of  
captain  
Hunt in  
England.

23d Aug.  
Intelli-  
gence re-  
ceived  
from the  
British  
chargé des  
affaires in  
Spain;

MEANWHILE captain Hunt arrived at Plymouth, and informed the admiralty that the island had been claimed by the governor of port Soladad; but his intelligence being considered as the effect of a splenetic quarrel, excited no sensation. Mr. Harris, the British chargé des affaires, who was left at Madrid on the departure of Sir James Gray in August 1769, next gave notice to lord Weymouth of the arrival of a vessel from Buenos Ayres, which brought intelligence that an armament, fitted out in May from that settlement, intended to dislodge the English from port Egmont: their success, however, was considered extremely pre-

<sup>p</sup> Johnson's Pamphlet; Papers published by Authority; Debrett's Debates, vol. v.

carious. The fact was, at length, rendered indubitable by the voluntary declaration of prince Maferano, the Spanish ambassador in London, who announced to lord Weymouth, that Don Francisco Buccarelli, the Spanish governor of Buenos Ayres, had taken upon himself to dispossess the English of port Egmont. Captain Maltby arrived shortly afterwards, and transmitted from the Motherbank to the admiralty, an account of the late events, supported by the proper documents.

CHAP.  
XVIII.  
~~~~~  
1770.
12th Oct.
And from
the Spanish
ambassador
in London.

UNDOUBTEDLY the circumstances of the case would have justified immediate hostilities; but, considering the internal affairs of England, it was more prudent to exert every means of arranging the dispute by amicable negotiation. The people were fired at the indignity offered to the British flag, by a nation whom they considered as the most feeble of opponents, and whose immense wealth they, in idea, fondly grasped as an inevitable and easy prey. There is no principle so just as not to be perverted by the adoption of exaggerated notions, and on that account, popular reasonings are more frequently delusive, when founded on some undeniable axiom. A statesman cannot regulate his conduct in conformity to all the deductions made by the public, from incontrovertible data, but must, in every instance, be guided by peculiar features of the individual transaction, not making himself the slave of a system which may often fail in its application to cases apparently parallel. In the present affair, the conduct of administration could hardly afford general satisfaction: if the ministry adopted a pacific course, the injured honour of the nation, the facility of revenge, and the certainty of a glorious contest, would form

Observa-
tions.

CHAP.
XVIII.
1770.

themes of inexhaustible declamation: if, on the other hand, they yielded to the popular ardour, and engaged in hostilities, however justifiable, the unimportance of the object in dispute, the necessity of allowing the suffering country a longer period to recruit after its late exhausting conflict, together with the commonplace topics, by which war is deprecated and peace recommended, would have been incessantly enforced, and placed in all the various forms which party ability could supply.

Conduct of
the minis-
try.

13th Sept.

22d.

Opposi-
tion.

THE ministry had the misfortune to experience the difficulties and discredit attached to both these modes of conduct, without receiving the approbation due to either. On the receipt of intelligence from prince Maferano, orders were issued from the admiralty, for preparing guardships; and when the Favourite arrived, bounties to seamen were offered by royal proclamation; ships were put into commission, and the usual measures adopted for making a formidable and efficacious naval preparation. But, however agreeable these exertions might be to the temper of the nation, and however important the crisis, the spirit of faction was earnestly and incessantly employed in rendering the efforts of government vain and abortive.

THE sailors, generally anxious to offer their services in a war against Spain, were now led to believe, they had suffered injustice by the distribution of the Havannah prize-money, in the preceding war, and evaded by every possible means the call of the country to man the royal navy.¹ They were taught to adopt the prevailing fashion, and attended the king

¹ History of lord North's administration, p. 25.

CHAR.
XVIII.

1770.

25th Sept.

with a petition, wherein they cited acts of parliament, and reasoned profoundly on the impropriety and illegality of recruiting the navy by means of press-warrants.* The lords of the admiralty applied to the lord mayor of London, requiring him to sanction these authorities, but he refused to do it on their application, alleging that it was not customary, unless the request came from the privy-council. And although afterwards the warrants were properly backed by the chief magistrate,† the execution of them was impeded by the spirit of faction, and Wilkes liberated a man who was impressed in the city.

26th Oct.

Westmin-
ster meet-
ing.

30th.

THIS was not the only instance in which Wilkes shewed his inclination to impede the operations of government, and increase the ferment of the public mind. A meeting of the members of two political tavern clubs was convened for the purpose of discussing the propriety of giving instructions to the members for Westminster to impeach lord North. On this occasion the dissensions among the city demagogues, which had been restrained during the life of Beckford, displayed themselves in public contention. On the day of meeting, Sir Robert Bernard was in the chair; the instructions for impeachment were supported by Wilkes, and combated by Sawbridge, who recommended a remonstrance; but the opinion of Wilkes prevailed. The next day a large concourse of people assembled at Westminster-hall, to hear the proposal discussed, but the resolution of the preceding day was over-ruled,

31st.

* See Gentleman's Magazine, 1770, p. 401.

† Trecothick was exposed to great censure for this act, and at the expiration of his mayoralty, obliged to explain and apologise to the livery for his conduct.

CHAP.
XVIII.
1770.

and the remonstrance voted. Though Wilkes and Sawbridge disagreed in the measure they proposed, they seemed to entertain principles perfectly congenial, and their efforts formed a struggle for pre-eminence in vulgar and licentious railing against the king and his ministers. Wilkes opposed the remonstrance, "because it would only serve to make a paper kite for the prince of Wales;" and Sawbridge resisted the impeachment, "because lord North, by his influence over the bishops and Scotch peers in the upper, and over the placemen in the lower house, would be infallibly acquitted, and the people precluded from any further complaint." The remonstrance required, among other absurdities, "That his majesty would for ever remove from his presence and councils, all his ministers and secretaries of state, particularly lord Mansfield; and not admit a Scotchman into the administration."

13th Nov.
Meeting of
parliament.

Soon after this ridiculous and indecorous transaction, the session of parliament commenced. The king informed the houses that by an act of the governor of Buenos Ayres, in seizing by force one of his possessions, the honour of the crown, and security of the people's rights, were deeply affected. He then stated the measures hitherto pursued, and called on the parliament for advice and assistance in the prosecution of this important business. The address in the house of lords was carried without debate; in the house of commons an opposition was made, but no amendment moved. The minister was blamed for making Bucca-

Debate on
the ad-
dress.

* See Wilkes's Account of the proceedings at the late meeting of the electors of Westminster, *Gentleman's Magazine*, 1770, p. 519, 538; *Annual Register*, 1770, p. 160.

relli, the governor of Buenos Ayres, the object of complaint, instead of the king of Spain, when it must be obvious that the conduct of the governor was sanctioned by the monarch. In answer, lord North observed, the intrinsic value of Falkland's Islands could not be deemed a sufficient cause of war, and was therefore a proper object of negotiation; this rendered it more prudent to allow the king of Spain to avow, or disavow, as he thought proper, the act of the governor of Buenos Ayres.

THIS was not the only animadversion occasioned by the Spanish dispute. A motion was made in each house, on the same day, for an address, praying the king to give directions, "That all papers received by the ministry, between the 12th of September 1769, and the 12th of September 1770, touching hostilities, commenced or designed to be commenced by the crown of Spain, or any of its officers, should be laid before parliament." The motion in the lords was made by the duke of Richmond, who entered historically into the transaction, and averred that the hostile intentions of the Spaniards were not limited to the mere claim of Falkland's Islands. In proof of this he adverted to their preventing the departure of the garrison and ship's crew immediately after the capture of the place; and asserted that no less than three thousand British seamen were then prisoners in ports belonging to Spain, having been taken out of merchants ships by guarda costas, and condemned to perpetual slavery, or confinement. In answer, lord Hillsborough contended, the production of the papers would embarrass a negotiation already in a prosperous train; descanted on the delicacy and punctiliousness of Spanish honour,

Motions
for papers.
22d Nov.

CHAP.

XVIII.

1770.

honour, and insisted that ministry had conducted themselves with prudence, vigour, and vigilance.

LORD CHATHAM ridiculed the manner in which mention had been made of Spanish honour, and asserted the English to be a candid, ingenuous people, while the Spaniards were no less mean and crafty than they were proud and insolent. He objected to any negotiation, and treated the supposed disavowal by the court of Spain of their governor's act, as an absolute falsehood. He said, when the French took possession of the little island, called Tortuga, the minister at the head of the treasury did not negotiate: he sent for the French ambassador, made a peremptory demand; a courier was dispatched to Paris, and returned in a few days, with orders for instant restitution, not only of the island, but of all effects belonging to the English. The present negotiation might produce a temporary arrangement, but the country would in six months be involved in a Spanish war. He disclaimed the imputation of being inclined to hurry the kingdom, at all events, into hostilities with Spain; he was desirous of peace, but let it be honourable, let it be secure: a patched-up peace would not satisfy the nation, though it might be approved in parliament. He then entered into a long statement, proving that the naval service had been egregiously neglected; indicated the maritime exertions, which, in time of war, would be requisite; and asserted, that in more than two months, ministry had not raised above eight thousand seamen: they boasted of having put forty ships of the line into commission, but to his certain knowledge, forty thousand men would be necessary

cessary to equip such an armament, with its attendant frigates." The Spaniards, he declared, had in Ferrol a fleet completely manned and ready to sail, which Great Britain was in no condition to meet. We could not send out eleven sail completely equipped; and if the house of Bourbon were to make a wise and vigorous use of their actual advantage, in a month we must be no longer a nation. After many desultory remarks on the general state of affairs, protracted to a considerable length; he concluded in these words, "The ministry are
 " now balancing between a war, which they
 " ought to have foreseen, but for which they
 " have made no provision, and an ignominious compromise. Let me warn them of their

" In this part of his speech lord Chatham expressed his sentiments at length on the subject of impressing seamen, and as they merit consideration, the following extract is given. " The subject on which
 " I am speaking seems to call upon me, and I willingly take this
 " occasion, to declare my opinion upon the question, on which much
 " wicked pains have been employed to disturb the minds of the people, and to distress government. My opinion may not be very
 " popular; neither am I running the race of popularity. I am myself clearly convinced, and I believe every man who knows any
 " thing of the English navy will acknowledge, that, without impressing, it is impossible to equip a respectable fleet within the time
 " in which such armaments are usually wanted. If this fact be admitted, and if the necessity of arming on a sudden emergency
 " should appear incontrovertible, what shall we think of those men
 " who, in a moment of danger, would stop the great defence of
 " their country? Upon whatever principle they may act, the act itself is more than faction; it is labouring to cut off the right-hand
 " of the community. I wholly condemn their conduct, and am ready to support any motion that may be made for bringing those
 " aldermen, who have endeavoured to stop the execution of the admiralty warrants, to the bar of this house. My lords, I do not
 " rest my opinion merely on necessity. I am satisfied that the power of impressing is founded on uninterrupted usage. It is the
 " *consuetudo regni*, and part of the common-law prerogative of the crown. When I condemn the proceedings of some persons on
 " this occasion, let me do justice to a man whose character and conduct have been infamously traduced, I mean the late lord-mayor,
 " Mr. Trecothick. In the midst of reproach and clamour, he had firmness to persevere in doing his duty. I do not know in office a
 " more upright magistrate; nor, in private life, a worthier man."

" danger;

CHAP.

XVIII.

1770.

“danger: if they are forced into a war, they
 “stand it at the hazard of their heads; if, by
 “a compromise, they should stain the honour
 “of the crown, or sacrifice the rights of the
 “people, let them look to their consciences,
 “and consider whether they will be able to
 “walk the streets in safety.”

SEVERAL other peers spoke on the question; and lord Sandwich, with considerable effect, retorted on opposition the charge of disagreement in opinions, which had been alleged against the ministry; they disagreed, he observed, at York meeting, and at Westminster, and in that house he could trace discordant sentiments among them, through the whole chain of opposition, down to Wilkes and Eldrige. The previous question was loudly called for, and rejected by a large majority.* The debate in the house of commons, though long, animated, and sustained by good speakers on both sides, did not, as far as can be judged from the published reports, embrace any novelty of argumentation, or disclose any new fact. It was terminated by a vote against the previous question.^y

Progress of
negotia-
tion.

ONE motive with the opposition for pressing so strongly the question relative to this unimportant capture, appears to have been the train in which the negotiations were proceeding. The tendency of general opinion to the period of the recess, was that war was inevitable, and the minority were anxious to obtain from the ministry some explicit declaration, some un-

* 65 to 21.

^y Carried by 225, against 101. The reader must observe the extreme difficulty of judging correctly of the debate on any public question at this period, as the documents are extremely slender, and the reporters shamefully partial.

CHAP.
XVI.
1770.

equivocal pledge, that should bind them in the conduct of hostilities, and retard, if not prevent the possibility of peace. It has been already stated, that before the arrival of captain Hunt in England, with an account of his expulsion from Falkland's Islands, a letter was received by lord Weymouth from Mr. Harris at Madrid, apprizing him of the intended expedition; and about the same time, lord Weymouth was informed by prince Maferano, that he had reason to believe the governor of Buenos Ayres had taken upon himself to make use of force in expelling the English from Port Egmont. Maferano said he was directed to make this communication to prevent the consequences which might arise from its being disclosed through another channel, and expressed his wishes that it might not be productive of measures dangerous to the good understanding between the two courts. Lord Weymouth answered, if the expulsion had already taken place, he did not think the fatal consequences could be avoided: the king's instructions to the British officer, commanding at Port Egmont were, to warn the subjects of other powers from those shores; but if they would not depart to make a joint settlement with them, and refer the question of right to be discussed in Europe. He inquired whether Grimaldi had instructions to disavow the conduct of Buccarelli. On receiving an answer in the negative, lord Weymouth applied for further instructions, and then demanded a disavowal of the proceedings at Port Egmont, and also that the affairs of the settlement should be restored to their pristine state. He also wrote immediately to Mr. Harris, stating these circumstances, and requiring him to wait on the Spanish minister, and enforce a compliance

10th Sept.

12th Sept.

CHAP.
XVIII.
1770.

25th.

compliance with those demands, as the only means of suspending the preparations then making in England. Mr. Harris, afterwards earl of Malmesbury, who was then a very young man, began his diplomatic career with this delicate transaction, which he managed with great sagacity and address. He waited on M. Grimaldi, and, in very proper language, delivered the complaints and demands which he was authorized to make. The answer was vague and unsatisfactory: Grimaldi asserted the English had reason to foresee the event, their establishment was known to be disapproved by Spain; he testified concern at the transaction, and said he had dispatched a vessel from Corunna to prevent it, but unfortunately too late; still he could not blame the conduct of Buccarelli, as it was founded on the laws of America. He declared Spain to be desirous of peace, as she had much to lose, and little to gain by war. Mr. Harris having reduced his demands to writing, the Spanish minister promised to lay them before the king: the desire of peace was declared to be reciprocal, but Grimaldi was tenacious of his master's honour, while Mr. Harris insisted on a compliance with the terms of his requisition as the only mode of doing justice, and satisfying the honour of Great Britain. Two days afterwards, Mr. Harris was informed by the minister, that as the affair could only be arranged in London, prince Maserano was directed to lay before lord Weymouth, "the several ideas," on this subject, trusting some of them would be adopted.

INSTRUCTIONS were transmitted to prince Maserano, to propose a convention, in which Spain should disavow any particular orders given to Buccarelli, and at the same time admit

that

that the governor had acted agreeably to general instructions, and to his oath. Maserano was also empowered to stipulate the restitution of Falkland's Islands, without prejudice to his catholic majesty's rights, and to require the king of England to disavow the menace of captain Hunt. When this proposition was made, lord Weymouth considered it extremely remote from affording satisfaction for the injury complained of, and answered with great spirit, That when the king's moderation condescended to require the court of Madrid to disavow the proceedings of the governor of Buenos Ayres, and restore things precisely to that situation in which they stood before the rash and unwarrantable undertaking of the governor, as the smallest reparation for the injury that could be accepted, nothing remained for discussion, except the mode of carrying the disavowal and restitution into execution. He declared the king's firm adherence to his first demand, and the total inadmissibility of the proposed convention; adding, as the king had received an injury, and required the most moderate reparation which his honour would permit him to accept, that reparation would lose its value if conditional, and to be obtained by any stipulation. Maserano declared he had no power to proceed, except by convention, and must apply for further instructions. Lord Weymouth wrote to Mr. Harris, desiring him to wait on Grimaldi, and request an answer from the king of Spain.

SUCH was the position of the affair at the meeting of parliament. Mr. Harris waited several times on Grimaldi, without obtaining a satisfactory answer; and at length was informed

CHAP.
XVIII.
1770.

Oct. 11th
to 17th

11th Oct.

CHAP.

XVIII.

1770.

6th Nov.

formed, that a dispatch was sent to prince Maferano, empowering him to renew the treaty. The impression made on Mr. Harris's mind by this dispatch, which Grimaldi read to him, was, that the Spanish court appeared ready to agree to every thing required; the refusal to disavow the menace of captain Hunt constituted the only difficulty.^z

BUT the conduct of Maferano did not justify these expectations,^a and as little hope was entertained of a satisfactory adjustment, it was judged expedient to warn the British merchants at Cadiz, Alicant, and in other parts of Spain, of their danger, and to order all officers belonging to the garrison at Gibraltar, to repair immediately to their post. After the recess, war was deemed inevitable, and Mr. Harris was ordered by the British government to withdraw from Madrid, though not without taking the usual leave.

21st Dec.
Mr. Harris
ordered to
leave
Spain.

Unwilling-
ness of
France to
make war.

TO this period Grimaldi acted consistently with the plan settled between him and de Choiseul, and if the French minister had been able to carry into effect the projects he recommended, hostilities would have been commenced without delay. But the French king, who had already experienced great difficulties in obtaining the sums requisite for the support of his dignity, and the pursuit of his pleasures, could not, by any means, be induced to augment his inconveniences by entering into a war. The turbulence manifested by his subjects, on many occasions, formed a strong motive with him for avoiding a measure, which, by increas-

^z The dispatch containing this information was received the 19th of November, only three days before the duke of Richmond's motion.

^a See Lord Weymouth's Letters, 23d and 28th Nov.

ing their burthens, would also give additional force to their dissatisfaction.

CHAP.
XVIII.
~~~~~  
1771.

THE king of Spain having held a grand council, at which an ultimate proposition was decided on, sent an account of its result to the king of France, inviting his co-operation, should war be inevitable. But the party who acted in conjunction with madame du Barry, and who depended on her influence over the king for the promotion of their views, now acquired a sufficient ascendancy to procure the dismissal of the Duc de Choiseul, and thus destroyed every hope which the king of Spain entertained of deriving assistance from France.<sup>b</sup>

IN consequence of information imparted by Maferano of his having fresh proposals to make, Mr. Harris received orders to return to the court of Madrid, invested with the authorities of minister-plenipotentiary; and in a short time it was finally agreed, that Spain should restore to the king of Great Britain, the possession of the Great Malouine, or Falkland's Island, in the same situation it was at the time when the garrison was expelled; but this restitution was not to affect any claim of right which his Catholic majesty might have to the sovereignty of that territory. The king of Spain in this declaration explicitly disavowed the violent enterprize of Buccarelli.<sup>c</sup>

18th Jan.  
1771.  
Concession  
of Spain.  
22d.

DURING

<sup>b</sup> From private information.

<sup>c</sup> See Journals, and Debates for the papers referred to in the narrative; and see Johnson's Pamphlet, and the Annual Register for 1771. This unexpected termination of the dispute gave rise to various speculations. The resignation of lord Weymouth occasioned a report that he was dissatisfied with the want of vigour which prevailed in the cabinet, and resigned because the ministry would not comply with his suggestions, which tended to an immediate declaration of war: but this is absolutely unfounded, for the first measure of lord Rochford was to recall Mr. Harris. It is also averred that a

CHAP.  
XVIII.

1771.  
Changes in  
the minist-  
ry.

12th Jan.  
1771.  
22d.

23d.

Dispute be-  
tween the  
two houses.

DURING this negotiation several changes took place, by which the ministry acquired additional strength. Lord Weymouth resigned the seals, which were given to lord Rochford. Sir Edward Hawke resigned his place of first lord of the admiralty, and was succeeded by the earl of Sandwich; the earl of Halifax taking the office of secretary of state for the northern department, which became vacant by this removal, and resigning his place of lord privy-seal to the earl of Suffolk. Mr. Bathurst was created Baron Apsley, and appointed lord-chancellor; Sir William de Grey was made chief-justice of the common-pleas; Thurlow attorney-general, and Wedderburne solicitor-general and cofferer to the queen; several members of both houses, who were personally attached to the late Mr. Grenville,<sup>d</sup> and had been violent in opposition, now also joined the ministerial standard.

AN incident which occurred before the re-

---

private extra-official negotiation was conducted between the cabinets of London and Versailles, and terms of accommodation treated of by means of a French agent; but this assertion is also erroneous. See governor Pownall's Speech in the house of commons, 13th February, 1771. The island was in consequence of this arrangement surrendered in the most honourable manner to the British forces (16th Sept. 1771); but as the nature and value of the possession were now thoroughly understood, it was in less than two years completely evacuated, (22d April 1773.) This circumstance has led to an insinuation that the abandonment of the possession was stipulated by secret articles, but this was not the fact; the British forces left their flag flying, and large sheets of lead fixed up, with engraved inscriptions, proclaiming to all nations that Falkland's Islands, with the store-houses and all their appurtenances, were the sole right and property of the king of Great Britain. It is indeed true that the intention of retaining this unimportant possession was renounced by Great Britain, and the Spanish minister was so apprized pending the negotiation. But there was no secret article on the subject; nor was the place ever surrendered to Spain.

<sup>d</sup> He died 13th November, 1770.

CHAP.  
XVIII.  
10th Dec.  
1770.

cess, occasioned an animosity between the two houses, which continued during the remainder of the session. The duke of Manchester made a motion for an address for accelerating the preparations for war, and putting the West India possessions, and Gibraltar, in a proper state of defence. He was proceeding to descant on the insecure condition of that fortress, and reflecting on the criminal negligence of ministers for their omission, when he was suddenly interrupted, and a motion made to clear the house. The reasons for this measure were founded on the impropriety of suffering a proposition of which no previous notice had been given, to be discussed in the presence of strangers, when the objects of it were such as to disclose the nakedness and weakness of the nation. Lord Chat-ham and the duke of Richmond resisted; but a violent clamour of, "clear the house," prevented them from obtaining a hearing. Being highly irritated, they, with their friends, in number about eighteen, retired in a body, alleging the folly and idleness of attending there, when they were denied the privilege of lords of parliament, and not permitted the exercise of free debate. Immediately afterwards several members of the lower house, who attended with a bill, were ordered to depart. In vain they represented that the performance of their duty obliged them to remain; they were compelled to retire till their message was delivered, then re-admitted with their bill, and as soon as that ceremony was performed, ordered again to withdraw. Inflamed with indignation, they returned to their own house, and made an angry representation of the transaction; the seceding lords were present, hearing the debates, and the first effort of resentment in the commons, was

CHAP.

XVIII.

1770.

11th Dec.

inconsiderately directed against them. The standing order was read, and though the suggestion was opposed by a majority, they were obliged to quit the house. Sixteen peers entered a protest on the journals, and several ineffectual motions were made in the lower house to procure an inquiry and discussion; but the only result was a sullen hostility between the two houses. The lords gave strict orders that no strangers should for the future be admitted, except commoners who attended to present bills, and they were to depart when they had made the usual obeisance. The commons in the course of the session abated the rigour of exclusion, but the lords remained inflexible.\*

22d Jan.

1771.

Debate on  
the termination  
of the  
Spanish  
contest.  
25th.

THE negotiation respecting Falkland's Islands was adjusted only a few hours before the meeting of parliament, after the recess. Lord North informed the house of the event, and on a subsequent day laid before them Maserano's declaration, and lord Rochford's acceptance. The opposition strenuously disapproved of the termination of the dispute, assigning to the ministers and their friends every fault and impropriety of conduct which could be alleged in such a transaction. Among other things it was averred, that the nation was not only exposed to contempt abroad, but left a prey to jobbers and sharpers at home. "A French secretary," colonel Barre observed to the ministry, "being in your secrets, has made near half a million of money by gambling in your funds; and some of the highest among yourselves

\* Debates, Journals, Annual Register, 1771. p. 37. The debates were carried on with so much acrimony, and gave rise to such personal reflections, as to occasion a duel between lord George Germaine and governor Johnstone, in which lord George was slightly wounded in the hand.

"have

CHAP.  
XVIII.  
1771.

“ have been deeply concerned in the same scandalous traffic.” A motion was made and carried in both houses for an address to the king, requesting the communication of papers for elucidating the transaction; and the production of these documents occasioned several discussions. A motion was made in the lords, by the duke of Newcastle for an address of approbation, which was carried after a vehement debate, and a protest, consisting of eleven articles, signed by eighteen peers, besides a protest signed by lord Radnor singly, were entered on the journals.

14th Feb.

THE debates were no less strenuously maintained in the commons; the motion of thanks occasioned a very animated discussion, but the question was at length carried.<sup>f</sup> A motion, introduced by a long speech, was afterwards made by governor Pownall, to censure ministry for not having demanded an explanation of the oath of office, taken by the Spanish governors in America, in virtue of which they justified the conduct of Bucearelli; but it was over-ruled.<sup>g</sup>

13th Feb.

5th Mar.

THE popularity of Junius's Letters induced several booksellers, proprietors of periodical works, to re-publish them. Woodfall was tried for printing in the Public Advertiser, one of these letters, which was deemed a libel, and Almon was tried for re-publishing the same letter in a monthly Miscellany, called the London Museum. Almon's case came first under investigation, and the jury found him *guilty of publishing*. The verdict against Woodfall was, *guilty of printing and publishing only*. Almon's counsel moved for a new trial, on the

Trials of  
Printers.

13th June  
1770.

2d June  
1770.

19th June  
1770.

<sup>f</sup> 271 to 157.

<sup>g</sup> 130 to 43.

CHAP.  
XVIII.

ground of the evidence being insufficient to prove any *criminal intention*, or even any *knowledge* of the London Museum being sold at his shop. Affidavits were exhibited to prove that the compilation in question was the property of another bookseller, named Miller; sent to Almon's shop without his privity; sold by his servant without consulting him; and that he had immediately on discovering the fact, prevented the further sale. One of the jury also tendered an affidavit of his having joined in the verdict under the influence of mistake, as he had incorrectly conceived a point of law; but this affidavit was of course refused by the court. It appeared from the report of the trial, read by lord Mansfield, that in giving his charge to the jury, he said there was evidence of the publication if they believed the witness; and directed them, if they were not satisfied that the blanks in the information were filled up according to the true sense and meaning of the writer, to acquit the defendant: the epithets false, scandalous, and malicious, used in the information were inferences of law, drawn from the paper itself; and not facts to be proved. After the case had been ably argued by counsel, and time taken by the court to consider, they gave an unanimous opinion, that none of the matters urged on behalf of the defendant, nor all of them added together, were reasons for granting a new trial. In Woodfall's case two motions were made: the first by the defendant to stay the entering up of judgment on the verdict; the other by the attorney-general, for entering a verdict according to the legal import of the finding of the jury. This latter motion was first discussed, and lord Mansfield in reporting the proceedings, stated his direc-

17th June  
1770.

22d June  
1770.

3d July  
and  
20th Nov.  
1770.

tions to the jury in these terms: "To consider  
 "whether all the innuendos, and all the appli-  
 "cations to matter and persons made by the  
 "information were in their judgment, the true  
 "meaning of the paper? if they thought other-  
 "wise, to acquit the defendant; but if they  
 "agreed with the information, and believed  
 "the evidence as to the publication, they  
 "should find him guilty. Whether the paper  
 "was in law a libel, was a question of law upon  
 "the face of the record, for after conviction a  
 "defendant might move in arrest of judgment  
 "if the paper was not a libel: the epithets in  
 "the information were formal inferences of  
 "law from printing and publishing; no proof  
 "of express malice was ever required, and it is  
 "in most cases impossible to be given. Where  
 "an act, in itself indifferent, if done with par-  
 "ticular intent, becomes criminal, there the  
 "intent must be proved and found; but where  
 "the act is itself unlawful, as in this case, the  
 "proof of justification lies on the defendant;  
 "and in failure thereof, the law implies a cri-  
 "minal intent." The court agreed in this  
 opinion, but from the ambiguous use of the  
 word *only* in the verdict, ordered a new  
 trial.<sup>h</sup>

THE sentiments delivered by lord Mansfield  
 on this and similar occasions, produced much  
 discussion among lawyers, as well as the public  
 at large, and soon became an object of parlia-  
 mentary animadversion. The ground taken in  
 opposition to the sentiments of the lord chief-

<sup>h</sup> See Burrow's Reports, vol. v. 2661, 2686; Reports of these  
 Trials in separate pamphlets, and the periodical publications;  
 Letters to Mr. Aldon in matter of libel; and Robert Manners's  
 Letter to Sir William Aston.

CHAP.  
XVIII.  


justice, promised a great share of popularity; the trial by jury is generally and deservedly dear to the nation, and every attempt to bridge the powers, or restrain the decisions of that inestimable tribunal, excites horror from its manifest tendency to encroach on, and ultimately destroy, every valuable charter and social immunity. Libelling was the darling offence of the day, and when in impeding a practice so dangerous, it became necessary for the nobleman at the head of the common law, to assume a technical principle expressly repugnant to the course of popular predilection, and assailable by a number of specious arguments calculated for the level of every understanding, he exposed himself to a most unequal and dangerous contest: his opponents were secure of popularity; and the obloquy attending his doctrine was sufficient to deter many from espousing, or avowing in public their assent to his opinion. All the judges of the court of King's Bench, and the majority of eminent lawyers, agreed with lord Mansfield; the public was decidedly hostile, and the transaction occasioned differences of opinion among the professors of the law, which can never be thoroughly reconciled.

28th Nov.  
1770.  
Discussion  
of lord  
Mans-  
field's doc-  
trine in the  
house of  
lords.

IN the upper house the discussion was brought forward by lord Chatham, who took occasion to digress from a business then in agitation, for the purpose of expressing his sentiments on the modern manner of directing juries from the bench. Lord Mansfield candidly and explicitly avowed the practice, shewing it to be founded on reason, and ancient usage. He declared his opinion, "That a libel or not a libel, was a matter of law to be decided by the bench,

“bench, and the question to be left to the jury, was only the fact of printing and publishing.” Lord Chatham and lord Camden both expressed astonishment and abhorrence at this doctrine, but the house returned to the more immediate object of discussion.

CHAP.  
XVIII.

PERHAPS this debate, thus irregularly introduced, was principally designed to extract from the lord chief-justice a clear and irrevocable avowal of his judgment, in order to afford the better foundation to a motion which serjeant Glynn had then in contemplation to make, and of which in a few days he gave notice. It was for the appointment of a committee to inquire into the administration of criminal justice, and the proceedings of the judges in Westminster Hall, particularly in cases relating to the liberty of the press, and the constitutional power and duty of juries. This motion was supported by all the talents of opposition, and no argument or mode of expression omitted which could inflame the public mind, or cast disgrace on the character of lord Mansfield. Serjeant Glynn affirmed, that a general belief prevailed of the judges being unfriendly to juries, encroaching on their constitutional power, and laying down false law in order to mislead them in their verdicts. A great display of legal knowledge was made by the serjeant and Mr. Dunning in supporting the motion; they were combated by De Grey, the attorney-general, and Sir Gilbert Elliott; and lord Mansfield's character was strenuously and honourably defended by lord Clare and Mr. Jenkinson. The conduct of Wedderburne and Burke was highly honourable; for while they supported the motion, they disclaimed and reprobated

Serjeant  
Glynn's  
motion.

3d Dec;  
1770.

6th Dec.  
1770.

CHAP.  
XVIII.  


bated all those asperities of diction which had been used in speaking of the lord chief-justice, and paid the merited tribute of applause to his extraordinary talents, and conspicuous integrity. The motion was lost by a large majority.<sup>1</sup>

Lord  
Mansfield  
leaves a  
paper with  
the clerk  
of the  
house of  
lords.  
7th Dec.  
1770.

It now became indispensibly necessary for lord Mansfield to place his sentiments in so clear a view, that they should no longer be subject to misrepresentation, and for that purpose he demanded a call of the house. As he did not state precisely what were his motives for this measure, great expectations were entertained, of his intending voluntarily to defend his own conduct, and explain the grounds and authorities which served as a basis for his opinion. But he had no such intention, nor was it requisite, or even prudent for him to undertake the task: he delivered to the clerk of the house, for the information of the members, a copy of the unanimous opinion of the court of King's Bench in Woodfall's case; a paper drawn with great precision, and containing in a small compass the merits and the law. Lord Camden inquired if this paper was to be entered on the journals, but being answered in the negative, on the following day attempted to renew the discussion. He considered the paper left by lord Mansfield as a direct challenge to him, and proposed six interrogatories, which the chief-justice very properly declined answering. After some ineffectual endeavours to engage lord Mansfield in a discussion of the question, it was left for the decision of the courts of law: a motion afterwards made

21th Dec.  
1770.

21th.

6th Mar.  
1771.

<sup>1</sup> 184 to 76. It is to be observed, that this debate took place before the changes in the ministry already noticed,

in the lower house, for leave to bring in a bill to ascertain the powers of juries in case of libels, was over-ruled.<sup>k</sup>

CHAP.  
XVIII.  
~~~~~  
1771.

ONE of the most extraordinary subjects which for a long time occupied the attention of parliament, presented itself this session. A petition was lodged against Hugh Roberts, the returning officer of New Shoreham, for returning a candidate with only thirty-seven votes, in prejudice of another who had eighty-seven, although he had queried seventy-six of the number. In his defence the officer disclosed a shocking and disgusting scene of venality, perjury, and hypocrisy. A majority of the freemen formed themselves into an association, denominated the *Christian Club*: the pretended motives of their confederacy were piety and charity; the real purpose, corruption. They made a traffic of their oaths and consciences, offered the borough for sale to the highest bidder, and utterly precluded the other freemen from any beneficial exercise of their franchise. They were bound to secrecy and to each other by oaths, writings, and bonds with large penalties, and carried on their negotiations by means of a select committee, who, under pretence of scruples of conscience, never voted at elections themselves, but having sold the borough, and received the stipulated price, directed the suffrages of the rest, relying on this complicated effort of fraud to prevent detection, and enjoy without remorse the fruits of their dishonesty. At a late vacancy, occasioned by the death of Sir Stephen Cornish, five candidates appeared for the borough, and a committee of five was appointed by the club to

Disfranchisement
of New
Shoreham.

CHAP.
XVIII.
1771.

treat for the sale. General Smith, one of the candidates, offered three thousand pounds, and to build at Shoreham six hundred tons of shipping. Mr. Rumbold offered thirty-five pounds a man, to all the freemen; his proposal was accepted, but his agent was directed not to take notice of voters who were not of the club. The returning officer, who had been a member of this society, and was well acquainted with their measures, having taken umbrage at some of their proceedings, determined to thwart and oppose them. He therefore obtained the opinion of counsel, and although the majority of voters took the oaths against bribery and corruption, he considered them disqualified, and made his return accordingly. As the select committee appointed under Mr. Grenville's act, could not take proper cognizance of these flagitious transactions, they reported them to the house, and Roberts was ordered to attend at the bar. His defence not appearing sufficient intirely to exculpate him, though his conduct was acknowledged to be founded on proper principles, he was reprimanded by the Speaker, and discharged. The circumstances thus disclosed were afterwards taken into consideration, evidence examined, and a bill brought in, by which, after several alterations, amendments, and debates, eighty-one freemen of Shoreham, named in the bill, were disfranchised, and rendered incapable of voting at any election of members of parliament, and the right of electing members for that borough extended to all the freeholders in the Rape of Bramber in the county of Suffex, who had tenements of the value of forty shillings. This measure was by some considered too lenient, and proposals made utterly to disfranchise the borough, but the precedent

9th Feb.
1771.

18th.

precedent was thought dangerous; others, on the contrary, were desirous to limit the punishment to the operation of law on the guilty individuals, but this was rejected, as affording, from the difficulty of obtaining legal evidence, a prospect of certain immunity.¹

IN the course of the session, several attempts were made by the opposition to introduce popular laws, and raise popular questions. A bill was brought into the house of commons for repealing a clause in the Nullum Tempus act; it was read twice, but lost on the third reading by an inconsiderable majority.^m The duke of Richmond moved the house of lords to reverse its resolution of not impeaching, directly or indirectly, the judgment of the house of commons, in the Middlesex election; lord Chatham moved for an address, praying the king to dissolve the parliament; and alderman Sawbridge, in the lower house, made a motion, to shorten the duration of parliaments. All these efforts were unsuccessful; but alderman Sawbridge renewed his motion in every session till his death.

CHAP.
XVIII.
1771.

27th Feb.

30th April

1st May.

¹ Debates; Annual Register, 1771, p. 54; History of the Boroughs, &c. of Great Britain, vol. iii. p. 52; article Shoreham.

^m 164 to 155.

CHAPTER THE NINETEENTH:

1771 — 1772.

Dispute between the house of commons and the city. — Publication of debates. — Colonel Onslow's complaint of a breach of privilege. — Printers ordered to attend at the bar. — Their contumacy. — Order for taking them in custody. — Proclamation. — They are arrested and discharged. — Complaint against other printers. — Their conduct. — Conduct of the minority. — The messenger arrested. — Carried before the lord-mayor — and holder to bail. — Proceedings in the house of commons. — Alderman Oliver and the lord-mayor committed to the Tower. — Zeal of the populace. — Proceedings of the common-council. — Address of Wilkes in eluding the resentment of parliament. — Committee appointed. — Their report. — Debates on the Durham Yard Bill. — End of the session. — City petition. — The king's answer. — Divisions in the city party. — Death of the earl of Halifax — and consequent changes in administration. — Meeting of parliament. — Augmentation of naval establishment. — Petition for relief from subscription to the articles of religion. — Motion to bring it in rejected. — Church Nullum Tempus. — Dr. Nowell's sermon on king Charles's martyrdom. — Debates on expunging the vote of thanks to him. — Motion for abrogating the observance of the thirtieth of January. — Efforts of the dissenters. — Motion to repeal the test laws. — Bill passes the lower house — but is rejected by the lords. — Marriage of the

the king's brothers. — The king's message to parliament. — Royal marriage bill. — Passes the lords. — Protest. — Passes the commons. — Close of the session. — Strength of administration. — Misfortunes in the royal family. — Death of the princess dowager of Wales. — Revolution in Denmark.

THE disposition to oppose the proceedings of the legislature, which had long distinguished the city of London, still prevailed, and produced a contest between the house of commons and the lord-mayor, which is curious in its progress, and memorable from the result.

NOTWITHSTANDING the known law and privilege of parliament, the printers of certain newspapers were in the habit of detailing the debates of both houses. These communications were highly gratifying to the public, and the success of a newspaper was principally dependent on the reports of parliamentary proceedings. But as all these papers were devoted to the purposes of party, little care was taken to impart a just detail of the speeches, and they were frequently misrepresented in a manner which could hardly be considered accidental. The only effectual remedy for this grievance, was a general enforcement of the senatorial privilege, for if the house admitted the right of the printers to report correctly, and left to individuals the task of appealing to the courts of law, against false statements, the proceeding would have been found circuitous, uncertain, and dangerous. The other mode had been frequently followed; the printers were summoned to the bar, and fined or reprimanded according to the nature of their demerit.

IN this session colonel George Onslow made a complaint to the house, of two publishers of newspapers,

CHAP.
XIX.

1771.

Dispute between the house of commons and the city.

Mode of publishing debates.

9th Feb.
Colonel
Onslow's

CHAP.
XIX.

1771.
complaint
of a breach
of privi-
lege.

newspapers, Thompson and Wheeble, for misrepresenting the speeches, and reflecting on several of the members. The obnoxious passages being read by the clerk, colonel Onslow moved that the printers should be brought to justice, for infringing the standing order. This practice, it was observed, had attained an infamous height; members were represented to the world as uttering sentiments they never pronounced; and their characters were often by these means degraded in the opinions of their constituents. The practice had not prevailed in former times; even during the most violent opposition to Sir Robert Walpole, no transactions or speeches were published, except during the intervals of parliament, and then only in a decent manner; and it was now absolutely necessary, either to punish the offenders severely, or reverse the standing order.

THE motion was combated by an assertion, that the ministerial papers were no less abusive than those devoted to the opposition; it was argued that the imparting to constituents the parliamentary behaviour of their representatives, was founded on the truest principles of the constitution, and misrepresentations ought to be punished legally, on complaint from the individual affected, and not by the hand of power, and weight of the legislature, whose exercise of authority is always odious and oppressive. Colonel Onslow's motion was however carried,^a and the printers ordered to attend at the bar of the house.

Printers
ordered to
attend at
the bar.

Their con-
tumacy.
19th.

THE execution of this order was adjourned several times, and when the house demanded the appearance of the printers, it was discover-

^a 90 to 55.

ed that their last order of adjournment had not been served. Another excuse of the same kind was admitted; but the parties still remaining in a state of contumacy, the serjeant at arms was directed to take them into custody. This order was not obtained without a violent debate; the number of the minority was inconsiderable,^b but the arguments used in the house, and the time which elapsed from the first agitation of the business, occasioned many discussions both in conversation and in print, and enabled the party in the city who were desirous of opposing government, to concert a plan of operations.

WHEN the serjeant at arms went to the houses of the parties, they were constantly denied, and the servants accompanied their answers with contemptuous sneers; which being reported to the house, Mr. Onslow moved for an address to the king, to issue a proclamation, with a reward, to any person who should apprehend the offenders. In consequence of this proclamation, Wheeble was taken by one Carpenter, a printer, and carried before Wilkes, who not only discharged him, but took recognizances for prosecuting the person by whom he was apprehended. Wilkes wrote in justification of this conduct to the earl of Halifax, secretary of state, observing that the proclamation did not charge Wheeble with any crime, and by taking him into custody, the rights of an Englishman, as well as the chartered privileges of the city, were grossly violated. Thompson, another printer, was similarly arrested and discharged by alderman Oliver. Both aldermen gave certificates to the persons who apprehended Wheeble

CHAP.
XIX.

1771.
21st.
26th.
Order for
taking
them in
custody.

Proclama-
tion for ap-
prehend-
ing them.
4th Mar.

15th.
They are
arrested
and dis-
charged.

^b 17 to 160.

CHAP.
XIX.
1771.

and Thompson, testifying that they had brought before them the persons indicated in the proclamation, and were intitled to the reward; but the collusion was so palpable, that the lords of the treasury refused payment.^c

Complaint
against
other prin-
ters.
12th Mar.

As it was, before this period, apparent, from the conduct of Thompson and Wheeble, that they would escape the intended punishment, colonel Onslow preferred a fresh complaint against six other printers for the same offence, and after a considerable opposition, they were ordered to appear at the bar. On the appointed day, four presented themselves; three were reprimanded and discharged;^d the case of one was adjourned;^e a fifth could not attend, being in custody in Newgate by order of the house of lords;^f the other, whose name was Miller, refused to obey the summons, and, on the motion of Mr. Onslow, an order was issued for taking him into custody, by the serjeant at arms.

14th.
Their con-
duct.

Contu-
macy of
Miller.

Conduct of
the mino-
rity.

IN these transactions the minority shewed a determined spirit of opposition, and professed a resolution to harass the house by frequent motions of adjournment and amendment; on the first debate they divided the house three-

^c Mr. Dowdeswell attempted to interest the house of commons in Carpenter's behalf, and received the following humorous answer from Wedderburne: "As to the affair of Mr. Twyne Carpenter, I can see no reason for supporting him: as I understand it, the man is Mr. Wheeble's devil. Wheeble was arrested by his own devil; he was discharged out of the illegal arrest of this devil; the devil was bound over to answer: whether printer beats devil, or devil beats printer, is of no consequence; there may be the devil to do; there will be the devil to pay: if the devil has had the reward that was advertised, the devil has fairly outwitted the noble lord near me: whether he has, or not, I do not know, but I hope this house will have nothing to do with him."

^d Baldwin, Wright and Bladon.

^e Evans.

^f W. Woodfall.

and-

and-twenty times, on the last thirteen. This proceeding gave additional courage to their adherents in the city, and accordingly on the next day the finess of arresting Thompson and Wheeble took place. The order for taking Miller into custody being previously made, could not therefore be prevented, and a plan was laid for resisting the effect of the speaker's warrant, and at the same time, disgracing the officers of the house of commons.

ACCORDINGLY, when the messenger appeared, Miller refused to submit to the arrest, and violence being used, a constable prepared for the purpose took charge of the officer, and carried him to Guildhall to answer for the assault. Wilkes, the sitting alderman, having finished the business of the day, refused to take cognizance of the affair, and the parties were conducted to the mansion-house. The lord-mayor, Brads Crosby, was indisposed, and therefore deferred the business till six o'clock in the evening,^b in which interval, the messenger sent for Mr. Clementson, deputy-serjeant at arms. At six o'clock, the lord-mayor, attended by aldermen Wilkes and Oliver, admitted the parties; Miller made his complaint, and the lord-mayor asked the messenger what offence the printer had committed, and by what authority he presumed to assault him? The officer pleaded that he acted under the direction of the speaker, and produced his warrant. The deputy-serjeant, who waited to hear what were the circumstances alleged as an assault, now announced himself, and said he came there by the speaker's command, to demand not only the messenger, but Miller his prisoner; and he did demand them

The messenger arrested.

Carried before the lord-mayor;

^b It was about three when they came to the mansion-house.

CHAP.
XIX.
1771.

in the most solemn manner. After some observations on the impropriety of arresting a citizen, by any person who was neither peace-officer nor constable, and on the violation of the charters by a caption, made without the knowledge or authority of the lord-mayor, Mr. Clementson's application was refused, and Miller discharged. The assault was next proved, which consisted in taking Miller by the arm, in order to bring him before the house of commons. The messenger, by Clementson's direction, refused to give bail to answer this complaint, and a warrant for committing him to the compter was signed by the lord-mayor and the two aldermen. When the matter had proceeded to this extremity, and the officers were ready to take away the messenger, bail was given.

And
holden to
bail.

Proceed-
ings in the
house of
commons.

19th and
20th.

THE deputy-serjeant at arms immediately related these transactions, which were received with great indignation by the house. Orders were issued for the lord-mayor and alderman Oliver to attend in their places, and Wilkes at the bar. Crosby, in his defence, alleged that his oath as an alderman of London, obliged him to defend the charters of the city, which he produced, and required to be heard by counsel. This proposition was strongly enforced by Trecothick, Sir Joseph Mawbey, and others, but rejected: though an order was afterwards made, that he might be heard by counsel on all points which did not controvert the privileges of the house: the lord-mayor's clerk was also directed to attend with the book of minutes, and the recognizance entered into for the messenger's appearance was erased.

25th.

AFTER some delays, occasioned by Crosby's illness, he was heard in his own defence, having

refused the indulgence of counsel, on account of the limitation with which it was conceded, and of the absence of all those of whose assistance he was particularly desirous. The evidence being concluded, the house, after a debate which lasted till near one o'clock in the morning, resolved, "That to release a person taken
" by virtue of the speaker's warrant; to apprehend the messenger of the house for executing his warrant; and to hold the messenger to bail for such pretended assault, were all
" breaches of privilege."

CHAP.

XIX.

Act of the lord-mayor declared breaches of privilege.

It was then proposed to proceed against Oliver. A motion of adjournment was made on account of the lateness of the hour, but negatived.* The alderman, being called on for his defence, said, "He owned and gloried in
" the fact laid to his charge; he knew, that,
" whatever punishment was intended, nothing
" he could say would avert it; as for himself,
" he was perfectly unconcerned; and, as he
" expected little from their justice, he desired
" their power." A motion being made for committing him to the Tower, colonel Barre, after a violent and indignant speech, quitted the house, attended by about twenty-five or thirty members. An amendment was moved, to place the delinquent members in custody of the serjeant at arms, instead of committing them to the Tower, which in all probability would have passed, had not Oliver pertinaciously refused making the slightest concession.¹

Oliver.

WHEN the lord-mayor again attended the house, all the avenues were beset by a clamorous and outrageous mob, who insulted several of the ministerial members, particularly lord

27th.
And the lord-mayor committed to the Tower.

* 214 to 97.

¹ The question for his commitment was carried 170 to 38.

CHAP.

XIX.

1771.

North and Mr. Fox; and, defying the civil power, would probably have proceeded to the greatest outrages, had they not been tranquilized by some of the popular members. Several of the opposition party refused to appear in the house, and Sir George Saville and Burke retired before the debate; saying, “they considered the refusal to hear the lord-mayor, by counsel, as a prohibition of justice.” In consideration of his ill health, it was moved that Crosby should be taken into custody by the serjeant at arms, but he disdained the intended lenity. He said, his health was considerably amended; he had no favour to ask of the house; and, in justice to his honourable friend, he ought to be sent to the Tower; he thought he had acted rightly, and on a similar occasion would adopt the same mode of conduct. An amendment was then moved, and after a debate which lasted till near midnight, he was committed to the Tower.

Zeal of the
populace.

THE mob considering the chief magistrate of the city as a martyr in the cause of freedom, took the horses from his carriage, and drew it to Temple Bar, where they shut the city gates, and insisted on the deputy-serjeant at arms quitting the coach, and proceeding no further: the lord-mayor was obliged to interpose, and quiet them, by an assurance that the gentlemen by whom he was accompanied were his particular friends, and were escorting him home: at the mansion-house the populace retired, and Crosby went privately to the Tower. A few days afterwards, the populace shewed their indignation by hanging and beheading on Tower Hill, with many ignominious circumstances, effigies representing persons of high rank, who were inimical to their favourites.

1st and 5th
April.

THE

THE city zealously espoused the cause of their magistrates. At a court of common-council, convened at Guildhall, where Trecothick officiated as locum tenens for the lord-mayor, public thanks in writing were voted to the chief magistrate and the two aldermen; a committee of four aldermen and eight commoners was appointed to assist in their defence before the house, and empowered to employ such counsel as should be thought fit, and to draw on the chamber of London for any sum not exceeding five hundred pounds. When Crosby and Oliver were in custody, and these exertions could be no longer beneficial, the committee ordered the expences of their table to be paid by the city: writs of habeas corpus were by their instructions sued out, and the prisoners separately conveyed before lord Mansfield, and lord chief-justice de Grey; counsel attended, but after a full hearing, the judges declared themselves not authorized to interfere, and the prisoners were remanded. In the ensuing term they were again brought by writs of habeas corpus, before the courts of Common Pleas and Exchequer, but in both, the bench declared themselves unable to reverse the proceedings of the house of commons, and the prisoners were therefore obliged to remain in custody till the prorogation of parliament, which in course terminated their captivity. Their discharge was celebrated by illuminations and public rejoicings; they were, by order of the common-council, attended from the Tower to the mansion-house by a magnificent procession of city officers in their robes; while a large concourse of people testified unbounded exultation.

CHAP.

XIX.

1771.

Proceed-
ings of the
court of
common-
council.
19th and
21st Mar.

3d April.

5th.

22d and
30th April.

8th May.

WILKES alone escaped with impunity: by Address of
J. L. 4 a letter Wilkes.

CHAP.

XIX.

1771.

19th Mar.

20th.

20th and

24th Mar.

a letter to the speaker, he refused to appear in the house, unless called to his place as member for Middlesex. Other orders for his attendance being likewise disregarded, the house was embarrassed: Wilkes's partizans urged the propriety of vindicating the dignity of parliament, and not permitting him to escape while his fellow delinquents were subjected to such severe punishment; but the ministers, apprehensive of exposing themselves in a further contest with such an opponent, evaded all further discussion of the point, by an expedient in which expediency was consulted more than dignity: an order was passed for the attendance of Wilkes on the eighth of April, and the house adjourned till the ninth.

28th Mar.
Committee
appointed.

A SECRET committee of twenty-one members was appointed for the purpose of asserting and maintaining the dignity of parliament: they sat with great diligence and perseverance upwards of a month. Great expectations were formed of the result of their deliberations, and the friends of the lord-mayor and aldermen were preparing themselves accordingly; but when the report was presented, it merely recommended that Miller should again be taken into custody by the serjeant at arms. The report was successfully ridiculed by Burke, and a motion of thanks to the committee made in such a burlesque style, that lord North moved an adjournment. No further attempt was made against Miller, and from this period the publishers of newspapers and other periodical works have been in the constant habit of detailing the proceedings of both houses of parliament.^m

30th April.
Their re-
port.

ANOTHER

^m See debates on the days mentioned in the margin; Annual Register, for 1771, chapter vi.; History of lord North's administration, p. 35 to 48; Reflections on the present dispute between the house

ANOTHER occasion of contest between the city and the legislature, arose in the bill for enabling certain persons to enclose and embank part of the river Thames, adjoining to Durham Yard, Salisbury Street, Cecil Street, and Beaufort Buildings. The proposition was referred to a committee, who reported in its favour, and recommended that the bill should be brought in. The city, considering their property exposed to incroachment, were heard by counsel: they produced a grant of Henry VII, of all the soil and bed of the river from Staines Bridge to a place in Kent, near the Medway, and shewed a lease granted by them, sixty-six years before this period, of a nook of the river at Vauxhall, under which they continued still to receive rent. On the other side, a charter of Charles II, to the city, was produced, in which he reserved the bed of the river, and it was contended that the city, by receiving the latter grant, abandoned

CHAP.
XIX.

1770.

Debates on
the Dur-
ham Yard
bill.
22d Feb.

8th Mar.

house of commons and the magistrates of London; and many other pamphlets, and all the periodical works of the time.—Having related these transactions with a minuteness proportioned to their singularity and the importance of the result, it may be proper to make a few observations. A broad statement, that it is but right and decent for the constituents to have an opportunity of knowing what is said and done by their representatives, appears almost a truism: but the daily publication of debates on subjects yet undecided is often productive of bad effects, by inspiring exaggerated hopes and unfounded fears, and by inducing members to address their sentiments rather to the galleries than to the chair. The disposition to debate on all public affairs has perhaps been increased by this practice; but the disputants without doors are put much more on a level than formerly; every paper which contains the arguments of one side, gives also the reply; whereas formerly, political disputes were only judged of by party pamphlets, and occasional publications of protests, and garbled debates. Every liberty may be perverted, and licentiousness may result from malice or from ignorance; but guarded as the members of parliament are, both by equal laws and exclusive privileges, they have little to fear from personal misrepresentation, and a moderate and timely exertion of the standing order to clear the house, when particular debates are expected, will always insure the nation against the effects of indiscreet publication of matters which ought to be kept secret.

the

CHAP.
XIX.
1771.

the former. The charter of Henry VII. extended only to the soil of the river within the city and suburbs; the lease of Vauxhall was a mere incroachment, and the right of the city was utterly denied. These arguments prevailed; the bill was committed, and passed both houses: a protest was entered on the lords' journals, signed by three peers only. A magnificent pile of buildings, called the Adelphi, has been erected on the site.

8th May.
End of the
session.

IN the speech from the throne which terminated this long and active session, the king congratulated the houses on those exertions, which had averted a war, and enabled him, with confidence, to promise a continuance of peace. He exhorted them to employ their best endeavours in rendering the national happiness complete, by discouraging and suppressing all groundless suspicions and domestic disturbances. "I have no other object," he said, "and I can have no other interest, than to reign in the hearts of a free and happy people: and it is my earnest wish, that my subjects may not be prevented, by any mistakes, or animosities amongst themselves, from enjoying, in the fullest extent, the blessings of a mild and legal government. The support of our excellent constitution is our common duty and interest. By that standard I would with my people to try all public principles and professions, and to look upon those as their most dangerous enemies, who, under any pretence, would persuade them to violate those laws, and undermine that authority, which the constitution has provided for the purpose of preserving the general liberty and happiness."

DURING

DURING the recess, the city had recourse to the accustomed measure of addressing and petitioning the throne. Their intention being announced, the lord-chamberlain wrote to the lord-mayor, informing him, the livery could not be permitted to attend him to St. James's; and copies of this letter were posted in various parts of the city, under pretence of preventing the livery from assembling. A petition was presented, couched in the same language with others which had been previously addressed to the throne; it complained of the arbitrary, audacious, illegal, and wicked proceedings of the house of commons, in imprisoning the city members, and procuring the Durham Yard act; and prayed the king to give peace to the nation by a speedy dissolution of parliament, and by removing his present wicked and despotic ministers from his presence and councils for ever. The king, in answer, said, he was always ready to exert his constitutional prerogative in redressing real grievances, and the city of London should ever find him ready to listen to well-founded complaints; but he felt concern at seeing a part of his subjects still so misled and deluded, as to renew in such reprehensible terms, a request with which he had repeatedly declared his resolution not to comply.

AT some preceding periods, this transaction would have created a considerable sensation; but the public now observed it without concern; the moment of delusion was past, and the schism among the city patriots, which was increased to a great degree of personal animosity, rendered their proceedings matter of indifference to all but themselves. Causes, which it is no longer important to ascertain, had created irreparable variances among the leaders

CHAP.
XIX.

1771.
City petition.
9th July.

10th.

The king's
answer.

Division of
the city
party.

of

CHAP.

XIX.

1771.

11th April.

12th.

24th June.

5th July.

20th Sept.

of city politics, their public meetings were scenes of hostility, clamour, and recrimination; and the press teemed with their mutual abuse. The societies which they had instituted were either dissolved, or weakened by secessions and rivalships; while the popularity for which they were thus indecently contending, was visibly and daily diminishing. During the confinement of the lord-mayor, the ward of Farringdon strenuously recommended the election of Wilkes as sheriff, and he promised to accept the office if chosen. He thought proper to wait on Oliver, who was expected to be sheriff, and announce himself as a probable co-adjutor. The imprisoned alderman was decidedly adverse to the measure, and, after remonstrating with him for a considerable time in vain, sent a letter to Wilkes's deputy, stating the total difference of their political views, and his resolution for that, and many other reasons, not to serve the office of sheriff with Wilkes. Notwithstanding this intimation, Wilkes persevered in offering himself a candidate, and at the close of the poll, he and Bull were returned by a large majority.^a Before they entered on their office, the new sheriffs appealed to the prejudices of the people, in an address to the livery, declaring their resolution not to gratify an unprincipled administration, by permitting the military to attend the execution of the law on criminals. They afterwards attempted to attract notice by some factious frivolities, but the public no longer appeared interested in their manœuvres.^b

THERE

^a On this occasion the mob testified their approbation of Wilkes by burning in effigy John Horne, late rector of Brentford, who had of late distinguished himself as one of Wilkes's principal antagonists.

^b Wilkes sent a message (16th Oct.) to alderman Nash, the lord-mayor

THERE was now, in fact, no plausible grievance to complain of; the ministry appeared more firmly united among themselves, and better supported than any preceding administration, and daily obtained new accessions of strength. During the recess, the office of secretary of state, vacated by the death of the earl of Halifax, was conferred on the earl of Suffolk, and his place of lord privy-seal was accepted by the duke of Grafton; lord Hyde succeeded, on the death of lord Strange to the chancellorship of the duchy of Lancaster; but these changes made no alteration in the political system of administration.

As no public business claimed particular attention, the parliament did not meet before the holidays. The king's speech contained no topic of importance, and the addresses in both houses were agreed to without a division. The first debate in the house of commons was occasioned by the motion to vote twenty-five thousand seamen for the service of the current year. In support of this large establishment, the state of our possessions and relations in all quarters of the globe was displayed. In India the French maintained a considerable navy, which they had recently augmented, and the defence of our settlements rendered it necessary to create a superior force. The apprehensions for the West Indies, during the late reported rupture, obliged

CHAP.

XIX.

1771.

Death of lord Halifax, and consequent changes.

8th June.

12th.

1st.

12th.

21st Jan.

1772.

Meeting of parliament.

29th Jan.

Augmentation of the naval establishment.

mayor elect, requiring him not to give any *French wine* at the entertainments at the Old Bailey; the alderman very properly answered, that as Mr. Wilkes claimed a right of giving what he pleased, he could have no pretence for invading the privilege of another. The sheriffs, at the beginning of the session (23d October) affected to gratify the populace by throwing open the doors and galleries at the Old Bailey, and not permitting money to be received by the door-keepers; but this had no other effect than disturbing the order of the court, and incommoding the grand-jury.

the

CHAP.
XIX.
1772.

the ministry to secure Jamaica, by maintaining an establishment sufficient to act as a check on Spain. The war between Russia and the Turks made British property insecure in the Mediterranean, unless protected in a more effective manner than usual; and it was represented as a great advantage to have a considerable naval armament always in a state of preparation.

THESE arguments were combated by admirals Keppel and Saunders, who affirmed the equipment to be too small if there was a probability of war, too large if a certainty of peace; they arraigned and condemned the whole disposition and management of the navy. The ministry were accused, by other members, of making the king's speech full of peace, and in a few days preparing for war; the expence of the additional establishment was estimated at 500,000*l.* and no argument could be adduced in favour of this augmentation, which would not, with equal propriety, apply to any other year. Lord North observed, the armament in India was necessary, not only to cope with the French, but as a check on the conduct of the company's officers, of whose peculation and misconduct he grievously complained; and he promised in a year to have eighty ships of the line fit for service, which would at any time be a superior force to the French and Spaniards united. This measure was adopted.

Petition for
relief from
subscription to the
articles of
religion.
6th Feb.

SEVERAL attempts were made in this session to effect general or particular alterations in the constitution and regulations of the church. Among the earliest and most important of these efforts, was the motion by Sir William Meredith, for leave to bring up a petition from some of the clergy, and of the two professions of civil law and physic, praying relief from the sub-
scription

scription to the thirty-nine articles. The intention of the petitioners was well known; they had long held assemblies at the Feathers Tavern, and by public advertisement invited all who considered themselves aggrieved by the laws relative to subscription, to unite in their efforts for obtaining redress. Their proceedings occasioned some animadversion, and the press was employed in impugning and vindicating their intentions. The members therefore came to the house fully prepared on the subject, aware of its introduction, of its importance, of the strength of argument by which the petition could be supported, and of the influence by which it was to be sustained.

THE paper presented to the house, claimed for the petitioners certain rights and privileges, held of God only, and subject to his authority alone, but from which they were in a great measure precluded by the laws of subscription, which required them to acknowledge certain articles and confessions of faith drawn up by fallible men, to be all and every of them agreeable to the scriptures. Independently of the incroachment on their rights, they represented the subscription as injurious to the Christian religion, by precluding inquiry into the true sense of the scripture; by enabling unbelievers to reproach the clergy with prevarication and flexibility to objects of lucre or political consideration; by offering to papists the advantage of reflecting on the religious establishment as inconsistently framed; by dividing the clergy; and by occasioning scruples and embarrassment of conscience to thoughtful and worthy persons, in regard to entrance into the ministry, or cheerful continuance in the exercise of it. The clerical part of the petitioners complained

CHAP.

XIX.

1772.

complained of being obliged to *join issue* with the adversaries of Revelation, by supposing the true sense of scripture to be expressed in the established system of faith, or else to incur the reproach of having departed from their subscriptions, the suspicion of insincerity, and the repute of being ill affected to the church, whereby their utility among their flocks, and their success against the enemies of Christianity, were generally obstructed. The petitioners educated with a view to the professions of civil law and physic, complained of being obliged at their first admission or matriculation in the university, to subscribe unfeigned assent to a variety of theological propositions, which from their immature age, and want of leisure, they could not be supposed to have duly examined, and they all complained of the injury posterity would sustain in being irrevocably bound to the tenets of an age less enlightened than their own. In conclusion they professed a full recognition of the king's supremacy, and an abhorrence of popery, and prayed to be relieved from an obligation so incompatible with the right of private judgment, so pregnant with danger to true religion, and so productive of distress to many pious and conscientious men; submitting their cause, under God, to the wisdom and justice of a British parliament, and the piety of a protestant king.

THE motion for receiving this petition was seconded by Mr. Thomas Pitt. Sir William Meredith stated it as repugnant to the liberality of sentiment, prevalent in this age, to oblige people to subscribe to the truth of articles which they could not believe; such a necessity produced habits of prevarication and licentiousness in the church, and had a tendency to
destroy

destroy Christian charity. The establishment, he contended, would, by the proposed reformation, acquire a firmness which nothing could shake.

THE reception of the petition was opposed on various grounds, and with great diversity of argument, which occasioned a long and desultory debate. Sir Roger Newdigate deprecated the measure as tending to destroy the very being of the church of England; reproached the clergy with signing such a petition, after they had subscribed the thirty-nine articles; ridiculed their alleged scruples of conscience, and said it was such tender consciences that, in the last century, subverted the church. He denied the power of the house to dispense with oaths, or receive a petition which would be a direct breach of the articles of union between England and Scotland. The king too was bound by oath never to admit any alteration in liturgy, or in the articles.

HANS STANLEY delivered his sentiments with great moderation. The petition appeared to him to contain a sort of contradiction, which rendered it an unfit subject for deliberation; a minority in number came to solicit from the majority a material alteration in religion.^p He had heard it generally asserted, that the original intention of the petitioners was to object to certain articles of the thirty-nine, and to particular parts of the liturgy; but not being able to agree among themselves in all respects, they had placed the house, as well as themselves, in a situation of considerable embarrassment; they applied to be-

^p About 240 persons subscribed the petition, of whom 200 were clergymen. The whole number of the clergy was calculated to be 20,000.

CHAP.
XIX.
1772.

come members of an ecclesiastical community, namely, the church of England, yet desired the foundation on which that constitution is built to be removed. Professing himself a warm friend to toleration, he resisted the right of separate sectaries to teach schismatical doctrines, under the garb of the church of England. No reformer, whose name has been transmitted with honour and approbation, ever framed so wild an idea as that of putting all religious creeds on a level. "If all the founders of religious systems," he said, "were alive at the same time, I am persuaded they would compose as numerous an army as that with which Alexander subdued the Persian empire; yet every one of them would derive his tenets from the scriptures: but the wisdom of all countries has rather chosen to trust to explanations, derived from the mature labour and consideration of a venerable and pious hierarchy, than to the crude fancies and notions of every assuming dogmatizer, who desires to make himself famous for the singularity of his sentiments: on this account, systems and creeds have prevailed all over christendom." Denying that it was a great hardship for persons who, from scruples of their own, could not accept church preferment to seek other virtuous employments, he concluded with saying, he thought the peace of mankind a fortieth article, which he prized as much as the other thirty-nine; and though many disputes had arisen in the civil administration of the country, yet, respecting its ecclesiastical affairs, we had, since the accession of the house of Hanover, enjoyed more peace than any other age or country could boast. He pronounced it inconsistent and dangerous to intro-

duce such a proposition to parliament; for though a free country may alter any law, for law is the creature of the legislature, and can be altered, yet there are laws so fundamental, that they cannot be altered without shaking the basis of the state.

WEDDERBURN, in opposing the petition, denied that it contained any thing detrimental to the compact of union between England and Scotland, and cited precedents in which the church government had been already very properly changed.

BURKE resisted the introduction of the petition, not because the church of England could not subsist independently of the thirty-nine articles, but because the petitioners, by the extraordinary latitude they had taken, rendered their objects indeterminate. "What are we to understand," he said, "by the holy scriptures, which these gentlemen desire to make a profession of their belief in? The Romish canon admits the books of the Apocrypha; the canon of Luther excludes some parts of the Pentateuch, and the whole Epistle to the Hebrews; and some ancient fathers have rejected the book of Revelations. Mankind are as little likely to be of one mind on this, as on any other point."

SIR GEORGE SAVILE and Mr. Thomas Pitt defended the petition, and the character of the petitioners; vindicated their pretensions to be exempt from subscription to complicated creeds; and asserted, there was no argument urged against the petition, which would not impeach the reformation.

LORD NORTH, Mr. Fox, and several other members of talents, opposed the reception of

CHAP.
XIX.
1772.

the petition, and were replied to by Sawbridge, Sutton, and Dunning.

THE case was generally argued, as it affected the clergy, the house seeming to consider the operation of the act, upon the professions of law and physic, of small importance to the public; but a wish was expressed that the universities would grant relief in that point, as well as to young students at the time of matriculation. Lord George Germaine descanted at considerable length on the impropriety of this restriction. Soame Jenyns defended the universities, and particularly Cambridge, averring that they could not annul the practice of enjoining a subscription, as it was founded on a royal statute, ordained at the instance of king James I.

THE debate was long and spirited, the cause of the petitioners, and of the church, being defended with equal zeal and ability: nor was the subject treated as a party question, but discussed entirely on its merits. The motion to bring in the petition was lost by a great majority.^a

Feb. 17th.
Church
Nallam
Tempus.

ANOTHER attack on the ecclesiastical establishment was made by Mr. Henry Seymour, who moved for leave to bring in a bill for securing

^a 217 to 71. In detailing this debate, I have principally relied on the History of Lord North's Administration; the author of which asserts that he derived his information from minutes taken in the house, and never before published. The compiler of Debrett's Debates has given two details, differing materially from each other, and from that I have principally consulted; but of them I have made some use. Some information has also been derived from a variety of pamphlets, particularly Woolaston's Address to the Clergy; Thoughts on the Dangers apprehended from Popery and Sectaries, by abolishing subscription to the thirty-nine articles; Letters on the subject of Subscription to the Liturgy and Thirty-nine Articles, published under the signature of Paulinus; A Letter to the Members of the House of Commons, respecting the Petition for Religion, by a Christian Whig; and Tucker's Apology for the Church of England. For a curious and characteristic letter on this subject, see Gibbon's Posthumous Works, vol. i. p. 447.

the possessions of the subject against dormant claims of the church: this was called the Church Nullum Tempus bill. In support of the proposition the common topics were alleged, tending to shew the impropriety of tolerating long dormant claims, and the tyrannical and oppressive use to which they might be applied. On the other side it was shewn that the Nullum Tempus claimed by the crown, and put an end to by a statute law, was an engine in the hands of the strong to oppress the weak; whereas the Nullum Tempus of the church was a defence to the weak against the strong. The motion was rejected.*

CHAP.
XIX.
1772.

Dr. NOWELL, chaplain to the house of commons, in preaching before the members on the anniversary of king Charles's martyrdom, expressed such sentiments as were considered highly repugnant to the liberties of the kingdom, as established by the glorious revolution in 1688; this gave rise to another debate, in which an attempt was made to change the ecclesiastical regulations. As only the speaker and four members were present at the delivery of Dr. Nowell's discourse, a motion of thanks, and for printing the sermon, was carried without difficulty; but when the sermon was transmitted to the members, its contents excited severe animadversions.

20th Jan.
Sermon on
king
Charles's
martyr-
dom.

Mr. THOMAS TOWNSHEND, it is said, moved that the sermon should be burned by the common hangman, as containing arbitrary, Tory, high-flown doctrines; and the motion would probably have been carried, had not the house recollected their previous vote; it was then proposed, that in future, sermons

21st Feb.
Debate on
the vote of
thanks
to the
preacher.

* 141 to 117.

• Gibbon's Posthumous Works, vol. i. p. 452.

CHAP.

XIX.

1772.

25th.

should be printed before the preacher was thanked; this was negatived by moving the order of the day. Yet the discussion was not permitted to end: the honourable Boyle Walsingham, supported by Thomas Townshend, moved to expunge the thanks given to Dr. Nowell, which after a strenuous contest was carried without a division.[†]

In this debate many topics were introduced, tending to involve general questions of government, and reflecting on the character of Charles I. Lord Folkestone ironically justified the preacher, because his doctrines were conformable to the service of the day, which was composed by father Petre, confessor to James II. Sawbridge defended the murder of Charles, which he said was a just punishment for his dissimulation, oppression, and cruelty; and at the same time sarcastically inquired if these were the virtues which Dr. Nowell meant to recommend to the king. In pursuance of these sentiments, Mr. Montague moved for a repeal of the act for observing the thirtieth of January, which he observed was in some measure blasphemous, as it conveyed a parallel between Charles I. and our blessed Saviour. The liturgy was defended by Sir Roger Newdigate, and the motion lost on a division.[‡]

2d Mar.
Motion for
abrogating
the obser-
vance of
king
Charles's
martyr-
dom.

Efforts of
the dissen-
ters.

In this interval the protestant dissenting ministers were actively engaged in preparing an application to parliament, for “ A legal se-
“ curity against those penalties to which such
“ of them were liable as could not conscien-
“ tiously comply with the terms of the tolera-
“ tion act; and also to obtain relief for tutors

[†] In the course of the debate the order of the day was moved and negatived by 152 to 41.

[‡] 125 to 97.

“and schoolmasters from those oppressive laws to which they were exposed, and from the inconveniences which they actually suffered in endeavouring to get the natural course of those laws obstructed.”* The penal laws originally enacted against dissenters were extremely severe; but by the toleration act, passed soon after the Revolution, all dissenters were exempted from the operation of the old laws who would subscribe the doctrinal articles of the church of England, which included thirty-five and a half out of thirty-nine.† This act was framed with the full assent of the dissenters of those days, who were strict Calvinists; but in a short period afterwards schisms arising among them, many denied the right of a Christian society to impose articles of human composition on any of its members. These principles prevented many of the dissenters from subscribing the articles, and frequent attempts had been made in former reigns to relieve them from the subscription and test laws. Although these efforts did not succeed, ministers were highly sensible of the merits of the dissenters, in establishing the house of Hanover on the throne; and their orderly and exemplary conduct occasioned the laws against them to be considered as mere dead letter.

In the debate on the petition of the clergy, and in the publications which it occasioned, the usual acknowledgments were made in favour of the dissenters, and wishes were expressed that they might speedily be relieved from the necessity of subscription. Anxious to take ad-

* This account of the intention of the dissenters, is taken verbatim from, A Free and Dispassionate Account of the late Application to Parliament, by Dr. Stennett, a very eminent dissenting teacher.

† Those excepted are the 34th, 35th, 36th, and part of the 37th.

CHAP.
XIX.
1772.

vantage of a moment so apparently favourable, the ministers residing in London, some of whom were present at the debate, immediately entered into a consultation, and agreed that it was highly eligible to secure the benefit of the present disposition of the house, and petition for that relief they had so long desired, and had been waiting for an opportunity to obtain. The limitation of the period for presenting petitions was an insurmountable obstacle to their soliciting the co-operation of their brethren in the country, and they therefore intended to defer the proposed application till another session, when, at one of the meetings, intelligence was communicated of the favourable disposition of government; accompanied with the offer of a person in high station to bring in their bill by way of motion, which could be done at any time in the session.^z

2d April.
Motion to
repeal the
ten laws.

THE hopes of the dissenters were thus inflated to a most sanguine confidence: they distributed among the members of parliament, a partial and exaggerated statement of their grievances, and anticipated complete success. The motion for leave to bring in a bill for their relief was made by Sir Henry Houghton, and seconded by Sir George Savile: on this occasion the principle was fully debated; the hardships imposed by the law on protestant dissenters, were displayed and decanted on with the utmost force, and the generous and tolerating principles of the British constitution invoked for their relief. In reply it was observed, that as the laws in question were never enforced, the

^z See the Case of the Dissenting Ministers, by Israel Marduit; A Free and Dispassionate Account of the late Application, by Dr. Stennett; and Vindication of the Protestant Dissenting Ministers, by Dr. Kippis.

dissenters could have no room to complain; they were demanding relief who never felt an injury; and as they were never called on to subscribe, they were never exposed to the rigours of the law: to them then it was not an evil; but, if repealed, all the barriers erected by the prudence of former legislatures, against the enemies of the church, would be destroyed: enthusiasm on the one hand, and infidelity on the other, would ascend the pulpit, and distribute their pernicious dogmas without possibility of restraint, or fear of punishment. Publications inimical to the church, or to the Christian religion, were dangerous only in a small degree, because they could be answered in the same manner, and fell into the hands of persons who were disinterested and unprejudiced; but the delusions of the pulpit could never be too cautiously guarded against, because they were delivered to an audience prepared for the most part to receive the desired impression, and those who uttered them could not be refuted. If the dissenters, as a respectable body, claimed regard to the tenderness of their consciences, the members of the established church, more numerous, and not less respectable, had prior claims on the regard of the legislature. The present ought, it was said, to have been entitled an act for the encouragement of presbyterianism, and for weakening and destroying the Church of England; it tended to revive extinguished animosities between the body of the people and the dissenters, and to establish a republican religion, which had been at all times the sworn foe to monarchy.

THE cause of the dissenters, however, was supported by the greater share of ability, and the ministry shewing a decided predilection for the

Bill passes
the lower
house.

CHAP.

XIX.

1772.

May.
But reject-
ed by the
lords.

Marriage
of the
king's bro-
thers.

the measure, the bill passed speedily, and almost without further opposition, through the lower house. In the lords it met a different fate: it was read a first time, but, on the second reading, the motion for committing it was rejected by a very large majority.^a

A MESSAGE from the king, relative to the marriage of princes of the blood, which was delivered in the course of this session, produced several animated debates, and claimed a considerable share of public interest. In the summer of the year 1771, the duke of Cumberland, one of the king's brothers, privately married Mrs. Horton, widow of Christopher Horton, esquire, of Catton Hall, in the county of Derby, and daughter of lord Irnham: when the match was publicly announced, his majesty forbade them the court. The displeasure shewn by the king on this occasion did not deter the duke of Gloucester, in the ensuing spring, from avowing as his consort the countess dowager of Waldegrave, whom he had espoused in 1766.

10th Feb.
King's
message.

THE message stated that the right of approving all marriages in the royal family, had ever belonged to the kings of this realm, as a matter of public concern; and recommended to both houses of parliament to take into serious consideration, whether it might not be wise and expedient to supply the defect of the laws, and by some new provision, more effectually to guard

^a 102 to 29. The bill was supported by the duke of Richmond, lord Chatham, lord Sheburne, and lord Lyttleton; lord Mansfield and lord Camden are also said to have divided in the minority for committing it: among the principal opponents of the bill were lord Bruce, and lord Gower; Drummond, archbishop of York; Terrick, Bishop of London; Lowth, then bishop of Oxford; Hinchcliffe, bishop of Peterborough; and Barrington, bishop of Llandaff.

the descendants of George II, from marrying without the consent of the king, his heirs and successors. In consequence of this message, a bill was brought into the house of lords, by which it was declared that none of the royal family, being under the age of twenty-five years, should marry without the king's consent; after attaining that age they were at liberty, in case of the king's refusal, to apply to the privy council, by announcing the name of the person they were desirous to espouse, and if, within a year, neither house of parliament should address the king against it, the marriage might be legally solemnized; but all persons assisting in, or knowing of an intention in any of the royal family to marry without fulfilling these ceremonies, and not disclosing it, should incur the penalties of a premunire.

CHAP.
XIX.
1772.

THIS bill was vehemently opposed in all its stages; the house divided, on the second reading, on the preamble and on every one of the clauses, and several proposed amendments were rejected. On the third reading the marquis of Rockingham opposed the bill, on the supposition, that the royal family might in time become so extensive as to include many thousand individuals; the bill in all its parts was defended by the lord chancellor; lord Camden objected to it for the reasons assigned by the marquis of Rockingham, and deprecated the annulling of a marriage between persons of mature age. The bill passed without amendment;^b two strong protests were entered on the journals, the first signed by fourteen peers, the latter by six, two of whom had signed the former, and an additional article by the earl of Radnor alone.

26th.
Royal marriage bill.

3d March.

Protests.

^b go to 26.

CHAP.

XIX.

1772.

13th to
24th Mar.
Passes the
commons.
10th June.
Close of
the session.

IN the house of commons an opposition equally strenuous was made, and every clause in the bill was debated with acrimony and pertinacity; but at length it passed without amendment. The king, in closing the session, expressed his satisfaction at the temper and prudence with which the deliberations had been conducted; thanked parliament for the additional security provided for the honour and welfare of his family, and requested them to use their best endeavours in cultivating and improving a spirit of harmony and confidence in all ranks of the people.

Strength of
administration.

THE affairs of government were now conducted with more regularity, and a greater appearance of concord and firmness, than had been hitherto experienced since the first resignation of Mr. Pitt: the minister, by the suavity of his manners, attached many friends, and tranquilized many opponents, while the increasing prosperity of the nation enabled him with confidence to hold out the agreeable prospect of a reduction of the national debt. The city patriots, divided, enfeebled, and reduced both in numbers and popularity, could no longer give disquiet to the court, or agitate the people.^c

Misfortunes in the
royal family.

BUT when the course of public affairs no longer presented motives of disquiet, the king suffered several afflictions in his own family; he

^c Crosby, Oliver, and Wilkes received (24th June) by a vote of the common council, cups in commemoration of their exertions in behalf of the printers, but the public expressed no particular sensation on the occasion. Wilkes and Bull, the sheriffs, on completing the first six months of their office (6th April) affectedly addressed the livery, with a congratulation that the number of unhappy objects under their care in jails and prisons, had not been increased by any *illegal royal proclamation*, or commitments during pleasure made by either house of parliament. This manoeuvre was also disregarded.

considered

considered his dignity injured by the marriage of his brothers, and found himself compelled to testify disapprobation by severity, and apply to the legislature for protection against the recurrence of similar acts. He had the misfortune, early in this year, to lose his surviving parent, whom he loved and honoured with all the ardour and reverence becoming the filial character. The slanders with which this amiable princess was assailed, during the latter part of her life, excited only a virtuous indignation in the king against her factious calumniators, and increased his affection for her, as he considered her ease and happiness a sacrifice to the turbulence of those whose principal enmity was levelled at the proceedings of his government. Her death was sudden, and took place in the fifty-fourth year of her age.

CHAP.
XIX.
1772.

8th Feb.
Death of
the princess
dowager of
Wales.

AN event which occurred in another part of the world, affected the king in a most sensible manner, as the honour of his sister was involved in suspicion, and she was far removed from the sphere of his protection, and from the still greater blessing of those equitable tribunals, where every one, without protection, may defy oppression, and, fortified with conscious innocence, surmount the efforts of associate malice. The marriage of the princess Caroline Matilda with Christian VII, king of Denmark, was hailed as an event which promised to strengthen the protestant interest, and produce commercial benefits to the British nation: in every personal view it was ominous and inauspicious, being one of those alliances in which neither similarity of disposition, nor any other requisites, were found to ensure felicity. Christian, contemptible for his imbecility and credulity, abandoned himself to irregularities of every kind too puerile,

Revolution in
Denmark.

CHAP.
XIX.
1772.

puerile, effeminate, and dissolute for commemoration.^d Among his favourites was Struensee, of obscure birth, but no inconsiderable talent; he was bred a physician, but uniting with his medical acquirements some knowledge of the civil law, he obtained rapid promotion at the court of Copenhagen, and was raised to the office of prime minister. His principal co-adjutor was Brandt, a youth of noble birth and conspicuous courage, but inferior in talents to Struensee. The queen dowager of Denmark, Julia Maria, entertained a dislike against her daughter-in-law, arising principally from her wish to direct the reins of government, and secure the succession to the crown to her younger son, prince Frederick, in both which objects she considered Matilda a principal obstacle. The mental and corporeal weakness of the king, rendered him abjectly passive, and it became the point of contest whether the queen consort, or the queen mother, should govern the kingdom in his name. The emissaries of Julia Maria exerted every artifice to prejudice the people against the young queen, and succeeded in exciting jealousies and suspicions of the most odious nature. The favour enjoyed by Struensee was a source of dissatisfaction to many of the courtiers, who strengthened the opposing party: Struensee's own imprudence, and the unsuspecting disposition of Matilda, afforded great advantages, and at length a conspiracy was formed for seizing her majesty, Struensee, Brandt, and all their adherents. This project was executed after a grand masked ball at the royal palace. Struensee and Brandt, precipitated in a moment

20th and
26th Jan.

^d See Gibbon's *Posthumous Works*, vol. i, p. 445.

from

from the summit of power, were cast into prison loaded with fetters, and finally, after undergoing great indignities, yielded up their lives on a scaffold.

CHAP.

XIX.

1772.

THE unfortunate queen, having performed the tenderest of maternal duties, was retired to rest, when, at five o'clock in the morning, she was awaked by a female attendant, who presented to her the king's order to remove for a few days to one of the royal palaces in the country. The queen comprehending at once the nature and extent of her misfortune, rushed from her bed, and sought the presence of her husband; but at the sight of count Rantzau, one of her enemies, in the antichamber, she recollected the necessity of attending to her dress, which she had totally forgot, and retired to her chamber to remedy the indecorum: but when she again attempted to go out, found her passage impeded by an officer, placed by Rantzau for that purpose. She overcame this obstacle, as well as the impediment of two soldiers, who crossed their firelocks at the door of the antichamber, but when, with great difficulty, she reached the king's apartment, he had been removed to another part of the palace. This precaution the conspirators adopted from fear of the queen's influence; the king was with great difficulty prevailed on to sanction their measures; a moment's interview would have frustrated all their plans, and rolled back the stream of ruin on themselves. Matilda's misfortune was now complete; she was surrounded by enemies, who seeing her intirely in their power, treated her with sarcastic insolence; she was driven with the utmost rapidity to the castle of Cronsborg, distant about twenty-four miles from Copenhagen, and there confined.

AFTER

CHAP.
XIX.
1772.

AFTER the execution of Struensee and Brandt, the queen dowager's party shewed a disposition to proceed to similar extremities against Matilda, but they were deterred by the resolute interference of George III. Articles were undoubtedly exhibited against her, and examinations taken, but to what they amounted cannot at present be exactly known. The common report was, that the articles supposed to be proved were sent to London, and submitted to the examination of the most eminent civilians, who, though consulted separately, unanimously declared that the evidence, far from amounting to legal conviction, did not sanction a presumption of guilt; and they added, they did not only refuse credit to the facts, as lawyers, but were obliged to disbelieve them as men.

May.

THIS contemptible triumph over a depraved and debilitated monarch, and an artless and unsuspecting queen, is called the Revolution in Denmark. The powerful and spirited interposition of the British crown procured the queen's release in about four months after her confinement in the fortress of Cronburg. She was conveyed, under the escort of a British squadron, to Stade, in the Hanoverian dominions, and was afterwards removed to the castle of Zell, where the liberality of the king her brother, provided her a becoming household, and where she lived in a state of honourable retirement till a premature death terminated her days at the age of twenty-four.*

* Tenth May 1774. In the preceding account I have principally consulted Weyssell's *Memoirs of the Courts of Berlin, Dresden, Warsaw, and Vienna*, in the years 1777, 1778, and 1779, vol. i. letter 2. The following account of the unfortunate queen's removal and subsequent conduct, given by Mr. Coxe, in his *Travels in Poland*, Sec. book ix, chap. i. is sufficiently interesting to suspend for a moment the it duty of the historian, and gratify the reader by an affecting view of suffering majesty. "During her confinement (at Cronburg) she inhabited the governor's apartment, " and

" and had permission to walk upon the side-batteries, or upon the
 " leads of the tower. She was uncertain of the fate that awaited
 " her; and had great reason to apprehend, that the party which
 " had occasioned her arrest, meditated still more violent measures.
 " When the English minister at Copenhagen brought an order for
 " her enlargement, which he had obtained by his spirited conduct;
 " she was so surprized with the unexpected intelligence, that she in-
 " stantly burst into a flood of tears, embraced him in a transport of
 " joy, and called him her deliverer. After a short conference, the
 " minister proposed, that her majesty should immediately embark
 " on board of a ship that was waiting, to carry her from a kingdom
 " in which she had experienced such a train of misfortunes. But,
 " however anxious she was to depart, one circumstance checked the
 " excess of her joy: a few months before her imprisonment she had
 " been delivered of a princess, whom she suckled herself. The rear-
 " ing of this child had been her only comfort; and she had con-
 " ceived a more than parental attachment to it, from its having been
 " the constant companion of her misery. The infant was at that
 " period afflicted with the measles; and, having nursed it with un-
 " ceasing solicitude, she was desirous of continuing her attention
 " and care. All these circumstances had so endeared the child to
 " her, rendered more susceptible of tenderness in a prison than in
 " a court; that when an order for detaining the young princess was
 " intimated to her, she testified the strongest emotions of grief, and
 " could not, for some time, be prevailed upon to bid a final adieu.
 " At length, after bestowing repeated caresses upon this darling ob-
 " ject of her affection, she retired to the vessel in an agony of despair.
 " She remained upon deck, her eyes immoveably directed towards
 " the palace of Cronsborg, which contained her child that had been
 " her only comfort, until darkness intercepted the view. The vessel
 " having made but little way during the night, at day-break she ob-
 " served with fond satisfaction that the palace was still visible; and
 " could not be persuaded to enter the cabin as long as she could dis-
 " cover the faintest glimpse of the battlements. Queen Matilda,"
 the same elegant author continues, " was naturally of a lively
 " disposition, until her misfortunes brought on a settled melancholy,
 " which preyed upon her mind. In company she endeavoured to
 " dissimble her sorrows, and assume a cheerfulness to which her
 " heart was a stranger. She became extremely fond of solitude;
 " and, when alone, indulged her grief in the most bitter lamenta-
 " tions. She retained, to her last moments, the most unaffected at-
 " tachment to her children in Denmark: with all the anxiety of
 " a parent, she made repeated inquiries after them; and was de-
 " lighted with receiving the minutest accounts of their health,
 " amusement, and education. Having obtained their portraits from
 " Copenhagen, she placed them in her most retired apartment;
 " often apostrophized them as if they were present; and addressed
 " them in the tenderest manner."

APPENDIX I.

LETTERS between Lord BUTE and Lord MELCOMBE, on the state of Parties and Politics, previous to and during Lord BUTE's Administration.

MR. DODINGTON TO LORD BUTE.

(Extract.) 22d December, 1760.

THE more I think of the conversation of last Saturday about single resignations, or even combined aggressions, the more I am confirmed in my opinion that nothing should be done that can justly be imputed to precipitation, nothing delayed that can be imputed to fear of them. This I say in case of aggression, which I think and hope will never happen. However, as I think they will drop off 'ere long, you will be pleased to think only with yourself, and your royal master, of proper persons to fill up the first rank with you in case of death or desertion.

REMEMBER, my noble and generous friend, that to recover monarchy from the inveterate usurpation of oligarchy is a point too arduous and important to be achieved without much difficulty, and some degree of danger; though none but what attentive moderation and unalterable firmness will certainly surmount.

Paper read by Mr. Dodington to Lord Bute.

16th January, 1761.

If the intelligence they bring me be true, Mr. Pitt goes down fast in the city, and faster at this end of the town: they add you rise daily.

THIS may not be true: but if he sinks, you will observe his system sinks with him, and that there is nothing to replace it but recalling the troops and leaving Hanover in deposit.

IF this should come to be the case, and you cannot make a separate peace upon the present foot, it seems not far off, either from absolute necessity, or from the arrogance of those whose presumption and court to the closet first plunged us into this distress, or from the united voice of the most affectionate of his majesty's subjects. Should not a measure so extremely popular as the sacrificing that country to this for a time, to secure an honourable and advantageous peace, both which experience has shewn cannot be done by sacrificing this country to that: should not then a measure so endearing, so much beyond the most sanguine expectations three months ago, come immediately from the king, and, by his order, be carried into execution by the hands in which he places his whole confidence? Be pleased to reflect a moment on this, and prepare yourself for this event, if necessity, presumption, or the voice of the nation should force it upon you.

Lord Melcombe to Lord Bute; on Mr. Pitt's resignation.

(Extract.) 6th October, 1761.

I **SINCERELY** wish your lordship joy of being delivered of a most impracticable colleague, his majesty of a most imperious servant, and the country of a most dangerous minister. I am told that the people are fullen about it.

Lord Bute to Lord Melcombe.

8th October, 1761.

My dear Lord,

WHATEVER private motives of uneasiness I might have in the late administration, I am far from thinking the dissolution of it favourable in the present minute to the king's affairs. Without entering into the causes of the war, it is sufficient to observe, that it was a
national

national one, and that the honour of the nation is pledged to support its allies. You, my dear Lord, cannot dislike it more than I do; but, as we have to do with a most treacherous enemy, whose infamous prevarications have been so lately experienced, we must act with redoubled vigour and spirit before we can hope to bring them to such a peace as, from our repeated conquests, this country has a right to expect, such a peace as I (with this load of responsibility) durst put my name to. This being so, the change of a minister cannot, at present, make any remarkable change in measures. I sigh after peace, but will not sue for it: not out of pride, or from motives of self-preservation (though both might without dishonour be urged) but from a thorough conviction that begging it from France is not the way to procure it. Indeed, my good Lord, my situation, at all times perilous, is become much more so, for I am no stranger to the language held in this great city: *our darling's resignation* is owing to lord Bute, who might have prevented it with the king, and he must answer for all the consequences; which is, in other words, for the miscarriage of another's system, that he (Pitt) himself could not have prevented. All this keeps up my attention, strengthens my mind, without alarming it, and not only whispers caution, but steadiness and resolution.

Lord Melcombe to Lord Bute, (in answer.)

8th October, 1761.

I LOOK upon the late event as an obstacle removed, not as added, when peace is to be treated. Your lordship may remember some months ago I said I thought Mr. Pitt would never make peace, because he could never make such a peace as he had taught the nation to expect. I suppose he now sees that we are within a year or two of an impracticability of carrying on the war upon the present footing, and may think, by going out upon a spirited pretence, to turn the attention and dissatisfaction of the public on those, who, at a ruinous expence are to carry on his wild measures, and whom they have been taught to dislike by a total

abandonment of the press to him and his creatures, which I humbly hope you will now think proper to employ better.

I CAN say nothing to the treachery and prevarication of France in the late negotiation, being totally ignorant of all those transactions. I entirely agree with you that we must act with redoubled vigour in carrying on the war, to obtain a proper peace; but it may be a doubt whether carrying it on in the same manner may be prudent, or even long practicable.

I ALSO agree with your lordship that where honour is pledged, it must be maintained; but whether, after what we have done to support our allies, we cannot maintain it at a less expence than ruin to ourselves without effect to them, may be worthy of consideration. I am sensible I am writing upon a subject I am no ways informed about. The mention made of it in your letter drew me into it. I have done. As you approve of the war, in what manner soever you carry it on, I shall never say one word more against it, public or private, but will support it whenever I am called on, as well as my distance from the scene of business will allow me. I told you I would do so (after having told you my opinion) when you did me the honour to command me to be your friend. Indeed, my dear Lord, I wish and mean to serve you, and am sure I never will disserve you, which is, I fear, as far as my poor abilities are likely to go. I am glad the king has given the seals; and as you approve of it, I suppose they are well disposed of. The sooner it is public the better. I wish they had been given as soon as they were refused.

I THINK there can be nothing in the house of commons: if there should, Mr. Grenville, no doubt, will do his best. I fear he is not very popular there; but you have friends there that are so, and very able too. The insolence of the city is intolerable. They must, and they easily may be taught better manners. I was bred a monarchy man, and will die so; and I do not understand that men of that rank are to demand reasons of measures, while they are under his majesty's consideration. As to you, my dear lord, I am sure you laugh at them, and know, that the moment they are threatened

threatened with the king's displeasure, those who were at your throat will be at your feet.

Lord Bute to Lord Melcombe, in answer to a letter of reproach on the refusal of a Request.

8th February, 1762.

*** IN short, my lord, though I cannot prevent umbrage being taken at my not satisfying every wish, I shall certainly hinder any reasonable ground of complaint concerning things I have once promised. I own, and without blushing, I have been very unfortunate in the means I have for years taken, of cementing friendships and procuring attachments. Others with much less trouble, perhaps, without my sincerity, succeed better; but I repine not; conscious of my own feelings, conscious of deserving better treatment, I shall go on, though single and alone, to serve my king and country in the best manner my poor talents will allow me; happy, too happy, when the heavy burden that I bear shall be removed, and placed on other shoulders.

Lord Melcombe to Lord Bute.

13th April, 1762.

*** THE people are intoxicated with conquests: his partizans take effectual care to combine the idea of Mr. Pitt with it. His party rises; they attack you publicly, in all conversations, and now in writing, personally, in the most audacious manner, reproach you with following his example. Does the body of office assist them in all this? No.—Does it lift a finger against them?—Yet less. They observe a worse than spanish neutrality, and though 'tis probable they may have no compact with your enemy, yet they will not, most certainly, shew you their compact among themselves, as they find they are in no danger of your declaring war. Would they then have Mr. Pitt again? No—but they desire to have that phantom followed enough to intimidate you, if you offer to break through their measures of government, or interfere with their disposition of the emoluments of it, by which alone they

know they can be defeated. But if you were to go too fast in the one, or meddle at all with the other, they would, in my opinion, rather have Mr. Pitt than you, because they would think, in the first place, that he must be a little humbled by adversity, and, in the next, that they could better struggle with his popularity, transitory and ill-founded, than with your credit with the king, built on the solid foundation of honour as well as inclination.

* * * I do indeed most earnestly insist upon a totally new system, and that cannot take place without new hands; for these cannot give up the old one without passing condemnation on themselves, the authors of it, for servile and interested purposes.

APPENDIX II.

CORRESPONDENCE relative to the dis-
continuance of the PRUSSIAN SUBSIDY.*The King of Prussia, to King George III.*

à Breslaw ce 22 Janv. 1762.

Monsieur mon frere,

LA longueur de la Campagne derniere, et differentes fatalités survenuees de suite, m'ont empêché d'ecrire plutôt à votre majesté. A présent voila l'impératrice de Russie morte, et le grand duc qui m'a temoigné en toute occasion de l'amitié est sur le trône. Je suis persuadé que pour peu que le sieur Keith sache profiter de ces circonstances, qu'il-en pourra tirer un parti avantageux. Pour moi, je ne doute pas que cette année ci ne soit plus heureuse que les precedentes, et ne nous mette en etat d'obliger nos ennemis à des conditions de paix plus honorables pour nous que les loix arrogantes, qu'ils vouloient nous prescrire. La declaration de guerre des espagnols est, selon moi, avantageuse à l'Angleterre, en ce que la grande superiorité de la flotte britannique triomphera des espagnols comme des François. Quelle gloire pour le regne de vôte majesté de rendre par là sa nation la dominatrice des mers, sans contradictions, et à nous tous d'avoir reüssis, et de nous être soutenus contre les forces réunies de toute l'Europe! Il n'est question que d'un peu de confiance et de fermeté pour terminer cette funeste guerre à l'avantage de l'Angleterre et de ses alliés; mais il faut perseverer jusqu'au bout; je

vois encore difficultés sans nombre ; elles m'encouragent au lieu de me rebuter, par l'esperance de les vaincre. Personne ne prend plus d'interêt que moi à la gloire et à la prosperité de vôtre majesté ; je la prie d'en être convaincûe, ainsi que de la haute estime avec laquelle je suis,

Monfieur mon frere,
de vôtre majesté
le bon frere,
Federic.

Lord Bute to Messrs. Keith and Wroughton.

St. James's, 23d February, 1762.

Gentlemen,

ALL the letters which I have received from Keith, since the late great event, have been already acknowledged. I congratulate you very sincerely upon the symptoms which have hitherto appeared of a change in the measures of your court, so greatly to be wished, for the good of Europe. At the same time I cannot but acquaint you with the particular pleasure and satisfaction with which the king received your accounts of the very friendly disposition of the present Emperor towards his Prussian majesty, his visible disinclination towards France, and above all, his intention to do all in his power towards bringing about a peace between the powers at war, upon reasonable terms.

THIS was the most capital point in the instructions which his majesty commanded me to send you, upon the first view of the late empress's death. And it is still that which the king would have you recommend with the greatest zeal, and in which we hope that his imperial majesty will employ all his credit and influence, and especially with the king of Prussia. The reports which you have made, and those which we have received from Mr. Mitchell, of the good prospect of a speedy reconciliation between those two courts, must undoubtedly give pleasure here ; but I must at the same time observe to you, that it arises chiefly from the hope and expectation that his Prussian majesty will be earnestly exhorted by the emperor, rather to put
an

an end, by reasonable and proper terms, to his war with the empress queen, than encouraged by him to persist in it.

I am, with great truth and regard,

Gentlemen,

Your most obedient humble servant,

Bute.

Lord Bute to Messieurs Knypphausen and Mitchell.

à St. James's, ce 26 Fevrier, 1762.

Messieurs,

COMME vous sembleriez souhaiter d'être mis en état de depecher vôtre courier ce soir même, je n'ai pas voulu différer de m'informer de la réponse qu'il plairoit au roi que je vous rendisse sur les instances pressantes que vous avez faites dernièrement au sujet du subside ; et l'ayant fait ce matin je vais en conséquence, vous faire part des intentions de sa majesté la dessus, afin d'éviter les meprises qui se peuvent glisser dans les rapports de ce qui se traite en des conférences, et pour que vous en puissiez rendre un compte authentique au roi votre maître.

JE vous dirai donc que sa majesté se trouve encore portée d'inclination, comme auparavant de fournir l'aide pecuniaire en question au roi de Prussie, mais comme le grand événement que nous avons vu arriver dans le nord à opéré un changement qui semble promettre les plus grandes facilités à sa dite majesté pour l'amélioration de la situation présente en la tirant de ces dangers multipliés auxquels elle s'étoit trouvée exposée, le roi souhaiteroit que le secours qu'il voudroit prêter à ce prince, dût plutôt aider à la conclusion de la paix qu'à la continuation de la guerre.

C'EST dans cette vue que sa majesté a attendu avec tant d'impatience la lettre que vous avez tant de fois annoncée de la part du roi de Prussie, comme aussi les éclaircissemens qu'elle avoit demandée par le canal de son ministre à Magdebourg.

LES voila enfin arrivés ces depeches de M. Mitchell, mais sans avoir apporté la moindre ouverture dans aucun des points essentiels qui en font le sujet, qui pût satisfaire à la juste attente du roi. Je suis obligé d'en dire autant par rapport à ce que vous m'avez fait l'honneur

L'honneur de me communiquer des instructions de sa majesté Prussienne qui ne s'ouvre le moins du monde au sujet des conditions particulieres, sur lesquelles elle voudroit conclure la paix ; se bornant au contraire, aux expressions generales de sa disposition à conclure sur un pied qui seroit conforme à ses interets et à sa gloire.

IL est vrai que par une lettre de plus fraiche datte Mr. Mitchell nous apprend la mission d'une personne accreditée et munie des plein pouvoirs du dit roi à la cour de Russie, et que sa majesté a bien voulu lui faire savoir que c'étoit pour s'en servir si l'occasion se presentoit. Elle ne s'explique pas d'avantage, et ne fait la moindre communication au roi des instructions particulieres, qu'elle auroit données à ce ministre.

Vous jugez bien, messieurs, qu'un silence si extraordinaire par rapport à un objet qui interesse les deux cours a un tel point ne sauroit etre regardé qu'avec beaucoup de surprise par sa majesté ; je vous assure pourtant qu'il ne l'a nullement fait changer de resolution. Mais elle continue d'esperer que le roi votre maître se determinera enfin à lui faire part de ses idées au sujet de la paix ; et elle se flatte en même tems qu'elle les trouvera propres à faciliter l'obtien de ce but tant desirable.

DES que le roi aura eu cette consolation, il ne se perdra pas un jour à moyenner à sa dite majesté, la remise des 670,000 livres sterling. Et comme ces sentimens et cette intention du roi, ne sont seulement raisonnables en eux memes, mais qu'ils se trouve aussi marqués au coin de l'amitié et de l'attention les plus parfaites envers sa majesté Prussienne, je me flatte qu'une telle ouverture ne sauroit manquer d'être reçue avec la même cordialité, avec laquelle on la fait, et qu'il y sera repondu d'une maniere à lever toutes des difficultés qui subsistent actuellement ; evenement qui me rejouira infiniment en mon particulier.

J'ai l'honneur d'être,

avec la consideration la plus parfaite,

Bute.

The King of Prussia to King George III.

à Breslaw, ce 12 Mars, 1762.

Monsieur mon frere,

LES nouvelles qui viennent de Peterbourg depuis la mort de l'impératrice sont si favorables que je les communique avec joye à votre majesté. Le nouvel empereur est entierement disposé à la paix. Les soins de M. Keith ont beaucoup contribué à entretenir cette disposition avantageuse; J'ai envoyé le baron Goltz à Peterbourg pour complimenter ce prince sur son avènement au trône, et il est en même tems chargé de plein pouvoirs pour signer la paix, si l'empereur y consent. Cette négociation passe par les mains de M. Keith: L'Angleterre n'a pas été en guerre contre la Russie, et les intérêts de votre majesté ne peuvent rien souffrir de cette paix de sorte que je n'ai aucun reproche à me faire, et je suis même persuadé qu'elle sera bien aise de cet evenement: Voilà la grande alliance séparée; c'est un tres grand article; si avec cela nous parvenons à pousser la cour de Vienne vigoureusement, il faudra bien qu'elle prenne enfin des sentimens plus modérés qu'elle n'en a marqué jusqu'ici, et son consentement à la paix entrainera infailliblement celui de la France. J'ai regardé de tout tems la reine de Hongrie comme la promotrice de la guerre presente et votre majesté verra que la guerre ne finira que lorsque cette princesse commencera à craindre pour ses propres etats. Je souhaite d'avoir toujours des nouvelles agréables à marquer à votre majesté; je la prie cependant de croire que personne ne prend plus que moi de part à ses intérêts, étant avec le plus grand attachement.

Monsieur mon frere,

De votre majesté

Le bon frere.

Federic.

George III. to the King of Prussia.

(Answer.)

Monsieur mon frere,

En remerciant votre majesté des deux lettres qu'elle a pris la peine de m'écrire le 22 de Janvier, et le 12 du

du courant, je la felicite très sincèrement de l'heureux changement arrivé en Russie et particulièrement sur la declaration, faite, le 23 du mois passé, par cet empereur aux cours de Vienne, de Versailles, et de Stockholm. La résolution qu'a prise ce digne prince de faire connoître à tout le monde ses sentimens par rapport à la guerre présente, et son intention de contribuer, de tout son possible, au rétablissement d'une paix generale, m'a été infiniment agréable; et ma façon de penser sur ces grands objets y correspond entierement, je ne manquerai pas de cooperer, par tout ce qui pourra dependre de mes soins, à un dessein si salutaire. En même tems, je prie vôte majesté d'être persuadée, que je souhaite toujours également de pourvoir à son assistance. Elle voit pourtant combien mes facultés diminuent de jour à autre, en suite de la nouvelle guerre, où je me trouve engagé, et des secours indispensables pour le soutien de mon bon et ancien allié le roi de Portugal. Ce n'est pas que dès que vôte majesté m'aura confié les moyens, dont elle propose de se servir pour l'obtention de la paix, je ne sois resolu de faire tout ce qui sera en mon pouvoir pour aider à sa réussite. Je suis, avec la plus parfaite estime et affection,

Monfieur mon frere,

De votre majesté

à St. James,

Le bon frere,

ce 30 Mars, 1762.

George R.

Lord Bute to Mr. Mitchell.

St. James's, 26th March, 1762.

* * THE Prussian ministers having yesterday acquainted me that they had had information from their court, of some overtures supposed to have been privately made from hence to the court of Vienna, and having desired that I would communicate the particulars for their master's satisfaction. In order to enable them to set the matter in a true light, I gave them a sight of the precis of the king's order of the 12th of January last, to Sir Joseph Yorke. It is to be hoped that Messrs. Knyphausen and Mitchell will make the proper use of this communication towards removing any ill-grounded suspicions which may have
been

been conceived by the king of Prussia, with regard to a step calculated for procuring, if possible, an information that might prove beneficial to the common cause: a step perfectly inoffensive to every power engaged in it, and which was so far from being taken with a view to prejudice his Prussian majesty's particular interests, or even being attended with any neglect of them, that it carried upon the very face of it a suggestion thrown out with an eye to turn the empress's thoughts to obtaining in another part what might serve as an equivalent to her pretensions in Silesia. But to obviate any failure therein on their part, the king has ordered me to send the above extract at all events to you, that you may represent in its true colours, and justify the rectitude of his majesty's intentions.

For your own further information, and to put it in your power to rectify, upon occasion, any misconception of the tendency and result of the insinuations that were made in consequence of the king's intimation to Sir Joseph Yorke, I enclose copies of his answer likewise, and of that which was returned through the canal of M. Reischach, on the part of the empress queen.

Lord Bute to Mr. Mitchell.

St. James's, 30th March, 1762.

IN my last I acquainted you with the complaint made here by Messieurs Knyphausen and Mitchell, of some supposed secret overtures on our part to the court of Vienna, and I then explained the matter to you from the beginning to the end. I am now to add, that though they gave that intelligence a turn as if they had received it from their own court, yet we know with certainty that they picked it up here. And as it appears from their way of talking upon that subject to me, but more especially from what they said to the duke of Newcastle, that they will probably have made a handle of it to inflame the mind of their master; the king thinks it expedient for his service, as well in respect to this affair as to many others, that you should repair forthwith to Breslaw, where you will lay the whole of that business before the king of Prussia;

commu-

communicating to him the letters sent you by the last post, as containing the king's original orders to Sir Joseph Yorke, which gave birth to it, and which you may assure him are the very orders that were given, and not a part only or abstract of them: and you will give his Prussian majesty to understand, that, so far from disavowing such a step, the king is so fully persuaded of its inoffensiveness, and of his right to take such a step, that his majesty has no desire to conceal what passed in that transaction, either from him or any body else. Though you must take care that the communication which you make of it to his Prussian majesty may appear in its true light, viz. that of a particular attention to his Prussian majesty, and totally different from an excuse, which the king will by no means believe can be expected from him on such an occasion. Neither does his majesty comprehend what title the Prussian ministers had to complain of any application which he may have thought fit to make to the empress queen, of a nature like this now in question, entirely foreign to any of the king of Prussia's concerns. The conduct therefore of those ministers upon the present occasion is justly displeasing to his majesty, and it is his pleasure that you should express to the king of Prussia his desire, that they may be instructed to proceed with a greater degree of caution for the future. You will execute these instructions in your audience of his Prussian majesty in their fullest sense, and without any softening, since in the manner wherein the affair has been treated here by the gentlemen above mentioned, the king's honour is concerned.

Lord Bute to Mr. Mitchell.

St. James's, 9th April, 1762.

Sir,

THE reserved and unfriendly manner in which the king has been treated by his Prussian majesty, in respect to Mr. Goltz's mission to Peteribourg, cannot but be very sensibly felt by his majesty. It was determined at first without previous communication, we were told, that he went with compliments, or at most

with general instructions for a reconciliation between the two courts; and when it was owned that he had full powers, still he was to open every thing to Mr. Keith, and to take no step but in concert with him. It now comes out, by Mr. Keith's letters of the 11th inst, that Mr. Goltze has been negotiating, upon affairs of the highest consequence, with the emperor, and that, without the least degree of participation with his majesty. No less a point than that of giving his Prussian majesty's guaranty for Sleswick, in exchange for that of Silesia, was in agitation; and, by Mr. Keith's account, we may expect to hear that a treaty has been concluded upon that foot, some weeks since; a treaty wherein the king of Prussia must know, that it would be impossible for his majesty to take any part, consistently with the engagements of his crown to that of Denmark.

THERE is therefore no longer cause for surprise, though there is certainly a great one for complaint, with respect to the dead silence of your court, and their concealment from his majesty's knowledge of such measures, as, instead of promoting his pacific views, according to the general assurances given of the king of Prussia's intentions, have the greatest tendency to spread the flames of war, and increase the miseries of mankind.

WITH the consciousness, however, of this unjustifiable treatment of the king our master, his Prussian majesty has still continued to direct his ministers here, if I may judge from their constant representation, to press the payment of his former subsidy: but the condition upon which the king has declared, both by my letter to them, and by his majesty's to that prince, that he was ready to give it, was the employment of it towards the procurement of peace, and not towards the continuation of war; and I cannot conceal from you, that to see the bounty of this nation converted to so pernicious a use as that of fomenting new troubles in Europe, would be of all things the most disagreeable to his majesty.

THE king must therefore receive farther intelligence, and see more clearly what use is intended to be made of any subsidy which he might be induced to give, before he can determine to give any at all. And this pause on resolving upon that important question, is so

much the more necessary, as, in case his Prussian majesty's treaty with Russia be actually concluded, and the weight of that empire taken consequently out of the opposite scale, he will then, if he continues in the same mind in which he was when you wrote your letters to lord Holdernesſe, of the months of June and July 1756, have ſo little occaſion for any aſſiſtance from England, that he might even be ready to furniſh a body of troops for his majesty's defence. This was the king of Prussia's language to you, upon the ſuppoſition of our barely preventing his being attacked by Ruſſia. With how much more reaſon then may the Engliſh ſubſidy be diſpenſed with, if he ſhall have obtained not only the neutrality of the Ruſſian emperor, but even his guaranty for the duchy of Sileſia. You are commanded therefore by his majesty, to repreſent the purport and ſubſtance of what is above to the king of Prussia, but in the way of a cool and diſpaſſionate remonſtrance, and with very particular caution, in what relates to his guaranty of Sileſwick; not to put it in his power to hurt his majesty's intereſt at the court of Ruſſia, by repreſenting there, that his engagement, if he has contracted one with the emperor for aſſiſting him in his deſigns upon Denmark, is likely to coſt him his ſubſidy from England; or if he has not, by charging his reſuſal to do it, upon the king's withholding that ſuccour. You will let me know very particularly all that paſſes upon this execution of your orders.

IN regard to your notion expreſſed in your laſt, both to count Finckenſtein and me, of the king's ſoliciting his Prussian majesty's aſſiſtance in diſſuading the Czar, by their joint good offices, from proceeding to hoſtilities againſt Denmark; you will ſee by the incloſed copy of what I am writing to Mr. Keith, that his majesty would willingly concur in ſuch diſſuaſion, but he ſees no hopes of any weight being added to them from the repreſentations of a power, who, ſuppoſing the guaranty of Sileſia to have been purchaſed by him, at the expence of a reciprocal one for Sileſwick, will have taken a ſtep ſo well calculated to deſtroy the whole effect of every pacific remonſtrance.

I am, &c.

Bute.

Transactions

Transactions with the Court of Vienna, (inclosed in Lord Bute's dispatch) of the 9th of April, 1762.

Precis des instructions données par la depeche de S. E. le Comte de Bute à M. le Chevalier Yorke, du 12 Janvier, 1762.

A CETTE occasion (viz. de la publication du pacte de famille entre la France et l'Espagne, et du danger qui menace le royaume de Portugal) le roi seroit bien aise que votre excellence put trouver quelque canal convenable pour sonder les sentimens de la Cour de Vienne, afin que sa majesté sache s'il y a lieu d'esperer de voir revivre dans l'esprit de l'impératrice les craintes bien fondées qu'ont conçues tous ses augustes predecesseurs de la puissance enorme et dangereuse de la maison de Bourbon: et si elle ne s'alarmeroit pas à la vue de l'invasion dont le Portugal est menacé aussi bien que des dangers qui sont justement à apprehender pour ses propres etats en Italie: ou bien si elle ne seroit pas capable de se laisser flatter de l'esperance de quelque acquisition ulterieure dans ce quartier en cas qu'elle resolut à se joindre aux puissances, qui pourroient vouloir opposer les projets pernicioeux de la France et de l'Espagne.

Precis de la reponse de M. l'ambassadeur Yorke à la lettre du Comte de Bute, du 12 Janvier.—Dateé à la Haye, 19th Janvier, 1762.

PAR le canal dont je me suis servi, selon les ordres de v. E. du 12 de ce mois pour sonder les sentimens de sa majesté l'impératrice reine par rapport à l'Union formidable de la maison de Bourbon, j'espere d'apprendre quelque chose: et il est à presumer qu'au cas que cette princesse trouve à redire au pacte de famille elle ne s'en cachera pas long tems. On en verra des indices et il ne sera pas difficile en ce cas de trouver moyen d'etre mis au fait plus particulierement de ses intentions. Et comme la guerre ou elle se trouve engagée avec le roi de Prusse fait le premier et principal objet de son attention rien ne conduiroit plus sûrement à la connoissance que l'on souhaite de se procurer des sentimens réels de cette cour qui si on étoit en état de lui faire quelque ouverture de la part de sa majesté Prussienne.

Extrait traduit d'une apostille à la lettre du Comte de Kaunitz au Baron de Reischach.—Dattée de Vienne le 3 Mars, 1762.

Si l'on veut considérer attentivement le contenu des memoires qui ont été remis, de part et d'autre, à la cour d'Angleterre, dans l'année 1755, et sur tout si l'on veut relire avec attention le plan que M. le Comte Charles de Collaredo, a communiqué au ministère, il en resultera qu'on conviendra que nous avons déjà commencé dans ce tems là à prévoir et à connoître notre propre danger ; mais la conduite de l'Angleterre nous a, dans le suite, entièrement ouvert les yeux ; et il n'y a rien de plus naturel, que chaque puissance prenne d'avance les mesures pour sa propre conservation. Dans ces circonstances je dois vous avouer, que sa majesté imperiale et son ministre, ne peuvent point comprendre ce que l'ouverture confidentielle des Anglois signifie proprement, et par conséquent il est aisé à comprendre qu'on ne se trouve pas icy en état de pouvoir y faire une reponse.

Lord Bute to Mr. Mitchell.

St. James's, May 26th, 1762.

SIR,

As this is the last dispatch, that it will fall to my share to write to you, in quality of secretary of state, I think it necessary, and especially as the parliament is upon the point of breaking up without any grant of subsidy, as in the former years, to the king of Prussia, to enable you to justify the king's conduct from any misapprehensions or misrepresentations of what has passed in that affair, and to set forth his majesty's true motives for withholding that succour in the present circumstances ; that so the natural consequences of public events, and the effects of pure necessity may be no more imputed, as they have been very maliciously, to such a change of dispositions, or such a failure of friendship, as have in truth never existed ; since the King never had, nor has now the least thought of abandoning his Prussian majesty to his enemies, or deserting his alliance.

IN

IN order to your being prepared to execute this instruction in a manner conformable to the king's intention, I must desire you to recollect with me the several stages of the negotiation concerning the subsidy, and what passed in the different periods of it.

UPON the conclusion of the last campaign, which ended so greatly to the king of Prussia's disadvantage, by his loss of the two important fortresses of Schweidnitz and Colberg, the king saw the distress of his ally with the utmost grief and commiseration; and upon the pressing application of the Prussian ministers here, his majesty, notwithstanding the great load of expences, from the continuance of military operations in so many parts of the globe, as well by sea as land, for which the parliament could with difficulty make provision, yet did not hesitate a minute in determining to give the former succour to the king of Prussia. The term in which that business had been before transacted, the treaty being then expired, was indeed objected to, but the substance was not disputed.

THE negotiation for settling the mode of that business was carried on through the months of November and December. In the beginning of the present year our war with Spain broke out, and the necessity of our undertaking the defence of Portugal against the ambitious views of that crown was foreseen. The additional weight of such vast charges upon the most exhausted resources of this country could not but alarm the warmest advocates for the continuance of war, and the indisputable expedience of lessening the objects of them was universally felt and acknowledged. In that circumstance, you were directed to recommend, in the king's name, to his Prussian majesty to endeavour to set on foot some negotiation of peace with the court of Vienna: He was desired to intrust his majesty with the terms upon which he would be willing to treat, and assured of the king's desire to assist in bringing any such salutary design to perfection. You were likewise ordered to ask a communication of the means on which he would rely, after so many misfortunes, and such a diminution of his power, for carrying on the war, if that were his intention.

AFTER some weeks waiting for an éclaircissement upon either of those heads, in the beginning of Febru-

ary the king did indeed complain of so unexpected a silence; but you were still told that his majesty was thinking of the proper time for making the demand of the subsidy in parliament.

In this interval we had the great news of the decease of the late Czarina, and a most promising prospect, from our very first accounts of that happy change of measures, which has so greatly bettered the king of Prussia's situation.

His majesty saw that amendment with the truest satisfaction. He rejoiced in it as a sincere friend to that prince, and as a well wisher to the public interests of mankind; for he considered the defection of Russia from the contrary alliance, as what must give his Prussian majesty a great advantage towards obtaining a speedy peace; and though his majesty could not, consistently with the interests of his people, whose burthens were increasing in proportion as those of his ally were lessened, think then of contributing by any act of his to the prolongation of war; yet he still declared, and has continued, till near the present times, declaring, that if he might have assurance that the subsidy should be employed towards the procurement of peace, his majesty would be still ready to ask it immediately of the parliament.

This was the language, as well of my letter of the 26th of February, to *Monsieurs Kniphausen and Michel*, as of one which his majesty was pleased himself to write a month after that to the king of Prussia.

It was not till the ninth of last month that, after a long and fruitless waiting for such an overture from *Breslaw*, as might have justified to his majesty's own paternal sentiments, and to the public, the laying again, in so different circumstances, so heavy a charge upon his people, that you were directed to hold a language to the king of Prussia, which might prepare him for a total cessation of the former pecuniary succour. It was not till after the actual conclusion of his armistice with Russia, and when an agreement of the like kind with Sweden was in view. It was when the former of those powers seemed on the point of concluding a definitive treaty (at least) with his Prussian majesty, and the latter, from her absolute inability to continue the war, and the universal cry of her people for peace,

was preparing to make the first step towards him: In a word, it was subsequent to our receiving here that important declaration of the 23d of February, by the new emperor, wherein he openly exhorts the king of Prussia's enemies to put a speedy end to the war, and declares his own resolution of restoring to that prince all the important conquests of his predecessor.

WITH these facts and dates in your memory, you may venture to appeal not only, as you were directed by my last cited dispatch, to that prince's former eventual declarations, but even to his own present judgment, and that of his ministers, whether the king could have still reasonably been expected to persevere in his intention of giving the former subsidy. We have a very powerful additional enemy to contend with; his Prussian majesty has a new and very powerful friend: the weight of Spain is thrown into our opposite scale; that of Russia, and Sweden too, is taken out of his: the king of Prussia has Pomerania and Brandenburg to defend, besides Saxony and Sillesia; the two former are no longer in danger: we had, on our part, a most expensive land war to support in Germany; we must now provide for another in Portugal.

It seems hardly imaginable that this striking comparison should not be sufficient to convince even the court of Breslaw, that in such circumstances, without a certainty of its application towards lessening the objects of war, it was impossible to propose the subsidy to parliament with any hopes of success.

HAVING thus stated to you, in its true and genuine colours, the whole of the king's proceeding in relation to the Prussian subsidy, with the real motives of it in every step; I come now to say something upon another affair, which concerns myself more particularly, and in which his majesty is very graciously pleased to permit me to make my own disculpation a part of this dispatch, written by his order, and with his approbation.

I NEED not tell you, for you are fully apprised of it, that I have been charged with having held to prince Galitzin, some little time before his departure, a most unfriendly discourse with regard to the king of Prussia, and with having in particular endeavoured to persuade

the emperor of Russia, through the channel of that minister, in the first place, not to withdraw his troops from the Prussian territories, but to keep them full there, in order to force that prince to make cessions to the queen of Hungary; and secondly, to prefer an alliance with the house of Austria, to that of his Prussian majesty. These are the chief points of accusation, to which are added some embellishments of less consequence; and in answer to them, what I have to observe to you is, that I see no resemblance in that account to my real conversation with prince Galitzin. If he did really therefore make such a report to the emperor, he must either grossly have mistaken my meaning, or failed in his memory, or (what I am sorry to suppose possible with respect to a gentleman so deservedly esteemed) may have been prompted by his known attachment to the court of Vienna, to give such a turn to his relation of my discourse, as he might think most likely to serve that interest.

By a particular coldness shewn by the Czar to Mr. Keith, and by hints which dropped from his imperial majesty, there was reason to think that something written to him by prince Galitzin, with regard to the king's dispositions towards the king of Prussia, had given him offence.

HE without doubt communicated that intelligence to his Prussian majesty, who had been before disposed, by those malevolent and mischievous insinuations, which we have by a multitude of combined circumstances but too much reason to suppose he receives from his ministers here, to give an entire belief to it, with the same credulity with which he listened to that groundless and shameful falsehood, transmitted to him from hence, of his majesty's having offered to treat with the court of Vienna at his expence.

BUT, however that be, the fact is, that I held no such discourse. I do perfectly recollect the interview which I had with prince Galitzin before he left us, and I remember as perfectly that I had then lying by me my first dispatch, after the late empress's death, to Mr. Keith, and that I talked to him from the contents, and intirely in the language of it: and I must add, that in using that stile, I spoke not my own notions only, but those of his majesty, and of all his servants,
who

who had seen and concurred in the instructions then sent to Mr. Keith.

I communicated to you at that time what appeared necessary for your information of the contents of that dispatch; but as it is now become of more importance, I have his majesty's leave to send you in extenso every word in it, that related to the general affairs of Europe, or to the king of Prussia in particular.

You will see that instead of advising the Czar to continue his armies upon the prince's territories, the king's particular pleasure and satisfaction is expressed in the orders given to those troops to advance no further upon them, to abstain from all hostilities, and even to accept an armistice, if offered: you will see too, that so far from desiring that the court of Russia should prefer the Austrian alliance to the king of Prussia's, Mr. Keith was directed to execute the instructions sent him by the king of Prussia himself, which were certainly not in favour of the queen of Hungary.

It is true, that the preference is very strongly given to pacific measures in that dispatch, and Mr. Keith is restrained from concurring in any thing that might tend to protract the war: but this was no secret instruction, for you were directed to make the same declaration, and to shape your own conduct by the same rule.

You see then, besides my own assertion to the contrary, how totally improbable it is that I should hold a language to the Russian minister, I do not say so different, but so absolutely contradictory to the orders which I had just sent from his majesty, to his own minister at that court, and that, with those very orders in my hand, I should declare or even insinuate to prince Galitzin, that his majesty's real sentiments were just the reverse of them.

Upon this foot, therefore, I shall leave it to you to clear me from such an unworthy imputation, having only just to add to this letter, that, as one which his majesty has received from the king of Prussia seems to adopt the same ill-founded charge, and does not yet express a full satisfaction in the declarations made by his majesty, with respect to the idle story of our negotiation with the empress queen, the king would have you insinuate civilly to count Finkenstein, that his majesty

jesty had not thought it suitable either to his own, or his Prussian majesty's dignity, to enter into such alterations, but had chosen to enable you his minister to explain, and set in their true light, those facts, which have, either erroneously or maliciously been misrepresented to the king of Prussia.

I am, &c.

Bute.

APPENDIX III.

CORRESPONDENCE RESPECTING IRELAND.

Lord Bowes, Chancellor of Ireland, to Mr. Dodington.

25th December, 1760.

*** **T**HE orders to dissolve the late parliament, and to send over the bills as usual, to certify to his majesty the considerations for calling a new one, were in consequence of applications from the Lords Justices here, that the affair must be speedily over, and that within the year of the present sheriffs.—The resolutions were just and prudent.

HAD the difficulties relating to the sending over the bill for a supply (pursuant to precedent) occurred, they ought to have been disclosed. Charity bids us hope it did not. In fact the subject was not mentioned, to my knowledge, till on the meeting of a council, called, as I was then informed, to consider what bills should be sent. It was mentioned to me the instant before we took our seats, requesting me to name such as might be proper. My answer was, that the notice was short and unexpected: I presumed we should see what had been done, and follow precedents. On my memory I thought a money bill was always one.

THE primate, who spoke to me, and the attorney general, who was present, seemed to acquiesce. On mentioning it to the chancellor of the exchequer, he objected against sending a bill for a supply, as there would be time after a meeting of parliament to prepare one in form, and that it was not necessary before, as the duties would not expire till the 25th of December 1761; adding, that such a bill would be rejected,
and

and produce warmth, which was to be avoided in a new parliament, and possibly end in a dissolution, the rather as they resolved in the year 1727, the day they passed a like bill, on the meeting of that parliament, "That no money bill should be read before the report from the proper committees of accounts, and that this should be the standing order."

THESE reasons, to which I have given their full strength, were reported instantly at the board, urged pathetically, and in my judgment, improperly at that time and place. Departing from the settled usage in affairs of government required temper to judge of the necessity and previous private deliberation with those in the king's service, to settle the manner in which such a necessary change can be effected.

THIS was not done, and the effects to be expected happened:—hasty resolutions, and declarations of what they would or would not do, and that equally at the upper and lower end of the table. My intimations of what has since been the case were to little purpose, and spoke strongly to my understanding, that each man saw this would be a popular point, and strove which should appear strongest in support of it. The next step was to guard against resentment on your side the water. They were warned, and therefore the justices wrote the next day to the lord lieutenant apprizing him of their sentiments, the improbability of changing them, the consequences of attempting the sending such bill, and, I think, sufficiently to be understood, that they could not do it; proposing the expedient of other bills, which, if received, the affair would end—at least it gave time to deliberate. To which I (an eye witness to the ferment) concurred, expressing my sense to comply, if the expedient should not be accepted.

You know the event on your side—on ours, no answer to the sent letter increased heats—more determined deliberations.—Debate blowed the coals.—They were told, without effect, that the sending bills to his majesty, to be by him returned to his parliament, to notify from him the causes of their meeting, and the business they were to proceed upon, was peculiar to Ireland, depended on positive laws enacted by parliament during the reign of Henry VII. under which
they

they could not enter upon other acts than those transmitted by the king—that, subsisting that law, supplies must be sent to them as other acts. That the statute of Philip and Mary confirms the former, at the time when it enlarges the power of government here to transmit to his majesty other causes which might arise during the session of parliament; but the former remained in full force as to such causes and considerations as were known before the meeting of parliament. That in fact a supply was understood to be the primary cause of calling parliament:—that the establishment in Ireland made it necessary to ask a supply from the next parliament, as it would certainly be wanted. The time of asking the quantum and the continuance were in the discretion of the crown;—that this notification equally left to the house of commons their affirmation or negation;—that ancient laws were to be expounded by usage;—that this appears to have been ever the usage from the journals of parliament, and the records of the council, especially since the contest in 1692, without a single exception—that contests with the crown were to be avoided—that the nature of the subject made it less justifiable in point of prudence, as no one attempted to urge any real prejudice that might attend the following of precedents; whilst on the other it obstructed the calling of parliament. How long that might subsist could not be known. That at that board they were to consider what was their duty, and to represent and advise of inconveniences which were expected from doing what had been done, and seemed required by law. Prudential reasons were also urged in vain—time taken for consideration.—Possibly the event may be, that no such cause will be transmitted as yet: that if required towards the necessary meeting of parliament, it may be complied with; but what will be the fate of such bill sent back, or the consequences of an unanimous rejection, is out of my ken.

This country is populous and wealthy. They have been taught to think themselves injured by their present constitution, forgetting Poyning's law was their own request, and that if their form of government, whilst in their present relation to England, be different from that of England, the worst which can befall
 them

them is to force England to determine what power the parliament of England shall have over Ireland.

As to others who want not this information, their business is and will be, to secure such parliamentary interest as may render them necessary to every chief governor. He may parade, but must submit. This is the present state of things, which occasions questions to be taken up here for the sake of popularity, that as governors they should discountenance.

This will account for the great precaution that one should not get the start of the others, and keeping together empowers them to say, "change hands as oft as you please, you can only be furnished from this shop."

Lord Bowes to Mr. Dodington.

2d February 1761.

I don't wonder my last seemed obscure; public disturbances are with difficulty explained. Those we are engaged in, become important rather from the situation of government than the consequence of the matter.

To view them in a true light, it is necessary to look back to the revolution, or rather to the Hanover succession, since which time Ireland has been the most flourishing state in Europe, as is evident from the rise of lands, and the great increase of personal property; and probably their representatives in this parliament have been possessed of more property than yours in Great Britain, in proportion to numbers, without taking in the disproportion of wealth in the two kingdoms; whence you will conclude that power, or attempts to acquire it, have accompanied opulence.—They have not had any real grievance from government, and have therefore quarreled with its present legal constitution. They have considered your house as the model, and in general think themselves injured in the instances wherein theirs, upon the legal constitution, must differ.

In fact they are become the terror of governors sent from England, who, for present quiet, and under uncertainty of support from your ministry, have rather chose to gratify by compliance, than contest points,
which,

which, when acquiesced in, become a foundation for future superstructures. This gave rise to *undertakers*, who insured quiet to the governor in exchange for power, and are now in that state of strength to tell the lord lieutenant he must come into their measures, or be rendered too uneasy for men of rank to remain under.

You need not be told by me where that power now resides, nor how necessary popularity is to the keeping of it, especially on the election of a new parliament.

BUT I must observe, that formerly Protestant or Papist were the key words; they are now court or country; referring still to constitutional grievances, for of others they don't pretend to complain.

THE chancellor of the exchequer (when in opposition) was the popular man, and (with his abilities) of great consequence. His acceptance of his employment, with an added salary, had totally deprived him of popularity, nor could it be retrieved by his being of no use on the other side. The parliament here being dissolved, the law required the council here to certify (in form of bills) the considerations for calling a new parliament.—Usage had always sent a bill for a supply, commonly called a money bill, as one. The commons had received these bills with reluctance. The applications to council to send over bills as usual, gave the chancellor of the exchequer opportunity to object against sending any money bill, which he enforced by such reasons as were the popular arguments against it. Prevailing in this point at that board must have merit, as the commons had not been able to succeed, and their attempt in 1692, ended in their dissolution. The intent was evident, as also that what one gained thereby, must be lost to others, which probably occasioned that unprecedented warmth which followed.

NEITHER could trust the other with the advantage, and therefore joined instantly, and in such manner as to become principals at once; resolving and declaring they were ready to suffer political martyrdom in support of it, and this before the council had given or been asked their opinions on the subject, though, in fact, the majority soon espoused the same sentiments. To this united strength may be ascribed the letters to the lieutenant, in terms unusual, to say no more; and
hence

hence the difficulties arise as to the prudential part on your side the water, and are, in truth, of great moment with respect to the future government of this kingdom.

THERE is a bill sent from hence in seeming compliance with these resolutions on your side, to which some names are wanting, because they did not consider the bill sent agreeable to former usage, or the intent of it. Not being a bill for a supply to his majesty, that it was open to every objection made against sending the usual bill, with many others arising from the nature of the bill sent; as it related to a vote of credit, for which the honour of the commons was engaged; not desired by those who had lent their money, and could only be necessary on the supposed defective security of that vote—that it appropriated duties in the first instance, and deprived the commons of considering the amount of the debt to be provided for, or the duties for repayment, &c. &c. &c. That these added objections would probably create contests in another place, and the measure was therefore unsafe as well as unusual, and seemed calculated only to ascertain in the event that which they had said would happen in sending a money bill.

It is observable, and I believe true, that the opposition here is universally disapproved of, and the actors see their error, though not the way to get rid of the affair. If this last attempt succeeds, they will rejoice as on a victory—if not, their having departed from their first declaration, their doing what they ought to have done, seems to be a necessary consequence, if those on your side insist upon it.

Lord Bowes to Mr. Dodington.

26th March, 1761.

LORD HALIFAX comes here at a critical time, and his conduct will probably fix the future government of Ireland.

16th Oct. 1761.

* * * To me lord Halifax seems to have got the start of opposition, and they will have no easy task to persuade the people that he is not their friend. The
return

return of the money bill is likely to occasion differences; but the train in which things are placed is likely to make it easy;—it was sent in wrath, knowing it must be rejected on its return. Your lordship well knows what uphill work it must be to carry such a question against the inclinations, and in fact against utility and conveniency; what is therefore wished is, that it may be received and read, and then postponed till a new bill may be framed, which will take in the subject of that act, and which may be necessary to answer the end proposed by way of supply and duration, and then drop the first, upon the reason of the thing, without entering on any further questions. Questions may, and probably will be proposed, but I think rejected by a respectable majority.

THE bill for septennial parliaments will be introduced, and like your place bill carried in, though strongly against the inclinations of many who will be silent. In what light that may be considered elsewhere, you may know before I can. The question is, or rather may be of importance to the crown, but infinitely more to the quiet, &c. &c. of the kingdom.

Lord Halifax to Lord Melcombe.

15th December, 1761.

I AM obliged to you for the favourable opinion you express of my government here, and I am sorry for the picture you draw elsewhere. If I am quiet, it is not that I am without a tribe equal in *virtues* to that you describe at home, but I came determined to make the proper use of them, and I luckily had an early opportunity of doing so. It was always considered good generalship to turn an enemy's cannon against themselves, and I took their battery as soon as unmasked. I will not say what other lord lieutenants have been, but I am as much master here as I can wish to be, and as much as my good royal master could ever have expected me to be. His authority, *comme qu'il compte*, shall never suffer in my hands. The session is like to continue good humoured, and to be short, as the edge of opposition is blunted.

APPENDIX IV.

ON THE ISLE OF MAN.

THE early history of the Isle of Man is involved in considerable obscurity; on the expulsion of the Norwegians, the ancient records of the island were carried to Drontheim in Norway, and on inquiry within these thirty years, it has been discovered that they were accidentally destroyed by fire. However, it seems from the report of Calvin's case, that this island was an ancient and absolute kingdom.^a

THE tradition of the island points out the first trace of monarchy in the latest stages of druidical hierarchy, when christianity was introduced, and bishops were placed there by St. Patrick, not only *ad erudendum*, but, *ad regendum populum istius Insulæ*.^b

THE island was under an independent sovereign; by Edward II. it was granted to his favourite, Gaveston, earl of Cornwall,^c and was afterwards conquered and held by Alexander III. of Scotland, and governed by his thanes. By the assistance of Edward III. it again returned to the English line, and became the property of Sir William Montacute, who, in 1393, sold it to William le Scrope, on whose forfeiture it fell to Henry IV.^d

THIS monarch, in the first year of his reign, granted the isle to Henry earl of Northumberland, who being attainted for treason,^e it was granted to Sir John Stanley and his heirs,^f *Tenendam de Rege hæredibus et successoribus suis per homagium ligeum reddendo nobis duos falcones, &c. &c.* from whom, by a

^a Coke's Rep. 7. ^b Jocelin, Vit. Patric. 6. 152. ^c Rap. Hist. Eng. vol. iii. 331. ^d 4th Inst. 283. ^e 6th Henry IV. ^f 4th Inst. 284.

lineal succession, this noble inheritance descended to Ferdinand, fifth earl of Derby.

IN the year following his succession, this nobleman died, leaving three daughters co-heiresses, and his brother William, sixth earl of Derby, his heir male.

ON the death of earl Ferdinand, a controversy arose between his three daughters and widow, on the one part, and the said earl William on the other. A reference in consequence was made by queen Elizabeth to some of her privy council and judges.^z

THIS dispute continued several years, and in the mean time the crown appears to have had possession of the island. At length an agreement was made, various sums of money paid to earl Ferdinand's daughters and his widow, and the succession of the island regulated by an act of parliament in the 7th of James I.

By this act it was settled, after certain limitations, on the right heirs of James, then lord Stanley, afterwards earl of Derby, with a clause prohibitory of alienation.

THE island descended to James, tenth earl of Derby, on whose decease, the male line of heirs of James lord Stanley becoming extinct, recourse was had to Amelia Sophia, the youngest surviving daughter of James, seventh earl of Derby, who was married to John, marquis of Atholl, and from whom, by lineal succession, the island has devolved on the present duchess dowager of Atholl, bareness Strange, under the parliamentary entail of the 7th of James I.

IT being conceived that the British and Irish revenues were materially affected by illicit practices carried on to and from the Isle of Man, acts of parliament passed from time to time, regulating the trade of Great Britain in respect to the Isle of Man; which in the year 1765, being considered insufficient to carry their purposes into effect, after much negotiation and correspondence with the Atholl family, which was at length dropped, the bill of 1765, for investing the island in the crown, passed.

THE present duke of Atholl, who is heir-apparent, and on the decease of his mother will be heir general

^z Anderson's Reports, vol. ii. 215, Dugdale's Baronage, 250.

of James lord Stanley, conceiving that this act of parliament has been made in direct violation of the parliamentary entail of 7th James I. and is, in a variety of respects, extremely severe in its operation, from the title to and value of the island being totally misunderstood at the time the transaction took place, has, since he came of age, made several applications for redress,^b which it has been found necessary to discontinue, from new matter arising in the course of his investigations relative to this island; and his grace having obtained from his majesty a commission for inquiring into the nature of his complaints, and the situation of the island, and a report having been made generally in favour of his grace's allegations, it is understood that he is preparing to apply for a full consideration of his case, in order to the attainment of redress, from the honour, justice, and equity of the imperial parliament.

Com. Journ. 1780—1790.

APPENDIX V.

LETTER from a Person in high Office in AMERICA, to an English Nobleman; on the Temper of the People, and Course of Politics.

New York, 8th November, 1765.

BY Davis, two days ago, I gave you a tedious (because I chose it should be a particular) account of the violence that lately broke out in this town, and which, if the madness of the lieutenant governor had not been repressed by the prudence of the commander in chief of the king's forces, would very probably have involved the whole continent in a rebellion.

I AM impatient to the last degree, for the arrival of Sir Henry *Moore*; not because it will rid us of *Colden*, who, 'tis reported, thinks himself no longer safe in America, and will remove to England; but I have some hopes, a governor not obnoxious to the people, may confide in the militia, and take proper measures to free us from a state of anarchy, and the dominion of a mob, who not only terrify the magistracy, but may put the match to the powder of discontent that threatens to blow up all the provinces. Let us hope there will be no recurring to force; if Britain prefers it to policy, we are both ruined. For the Americans seem determined to fulfil *Barre's* prediction in the house of commons, and fight it out.

DEPEND upon it they will suffer no man to execute any law to raise internal taxes unimposed by their own assemblies. None of the distributors durst act; and that man's heart must be fortified with ten-fold steel,

steel, who ventures even to approve the doctrine, that the parliament hath a right to give away the estates of the colonists without their consent.

IN the chartered governments, where the offices are elective, all things run on in the usual channel; and even in the colonies where there is a more immediate dependence on the crown, the spirit of the people countenances such a defiance to all officers, that I make no doubt of an equal neglect of the *stamp act*.

THE ordinary process of the law has not as yet been issued in this province; but I suppose it will soon begin without any reference to the parliamentary decree: and indeed, if any durst to ask for them, there are none to distribute them. The merchants, I once thought, would have been the first purchasers; but they venture out their vessels with unstamped cockets, nor have the officers of the customs the hardness to refuse them any of the necessary documents. The newspapers also are dispersed as before, and thunder out their weekly execrations against all the authors of the real or supposed grievances of the country, and the printers, sure of an immediate gaol-delivery, inflame the whole continent.

BLESSED be the name of the man who finds means to dispel the dark cloud that hangs over us, and brighten this troubled sky. I am aware of the difficulties. The change of the ministry gives a ray of hope to some, who presume that the new state physicians will naturally find fault with the prescriptions of the old doctors. But I fear that the terror of the general voice on your side of the water, will, for a time, support the doctrine *here* so utterly abhorred; nor do I see any middle way to save the honour and claims of the parliament. Regulations in trade to destroy the West India monopoly, so destructive to us and the mother-country, with the reduction of the admiralty powers, may sweeten men's minds; but the grand contest will subsist even though the stamp duty should be *reduced*, and better proportioned to the abilities of the people.

A total exemption from taxes, they were resolved to force; and besides the justice of their cause, they are animated by various considerations to expect suc-
cess

cess—your present confusions, which they hope to increase by our own economy and encouragement of home-made manufactures; the supplies you want from us; the difficulty, if not impossibility of sparing a standing army and supporting it; a presumption of the necessary flights over to us of your unemployed manufacturers; our other various accessions; our rapid growth, and that your own army may be wasted by desertions. The project that the standing force adequate to the design (not of a quick conquest, but) of maintaining the law against a general, wide-spreading disaffection, while it flatters our hope, will, if it falls from its fidelity, endanger an American independency, and provoke your natural enemies in Europe to lift up a successful arm against you: all inspire a confidence that Britain will be too wise after all, to venture upon a measure that will quicken her own downfall.

By these views our people are emboldened—add to this, they are all united—every man inspires his neighbour, and colonies echo to colonies, we are Englishmen, and will be free.

At the late congress in this place, they came unanimously to a set of *resolves*, of which the several deputies took copies, that their representations and conduct may have a perfect harmony.

As I do not approve of the violences of my countrymen, so neither could I agree with their wise men, either in the principles they go upon, or the manner of giving success to their claims.

THE congress was appointed for the first of October; opened a few days afterwards, and closed on the 25th of the same month.—The members were, in general, men of warm passions—an impatience to get home, and the pride of the draftsmen, against which I forwarned several of them, had also a very ill effect on their transactions—all the conduits of information had not emptied upon them, before they began to write, nor indeed, before they broke up; and their compositions therefore carry evident marks of hurry and imperfection.

WHAT they wrote is contained in *fourteen resolves*, a petition to the king, another to the commons, and a memorial to the lords.—But, why a memorial?—That

I cannot

I cannot say : I mentioned it to one of the members, and thought he was surprised at the observation. So it remained when they broke up.

THE resolves profess allegiance to the crown, and ^a all *due subordination* to the two houses of parliament ; declare that we are entitled to all the rights of subjects born within the realm ; that it is essential to the freedom of a people, to be taxed only with their own consent ; that the colonies neither are, nor can, from local circumstances, be represented in the British house of commons ; that their only representatives are in their colony legislatures ; and, except by them, no taxes have been, or can be, constitutionally imposed upon them.—That supplies being *gifts*, the commons of Great Britain cannot *constitutionally* grant away our property.—That trials by Jury are the rights of the subject.—That the stamp act, and other acts of trade, tend to subvert that right.—That the duties lately imposed are grievances, and the payment impracticable.—That the profits of our commerce center in Great Britain ; and we, therefore, contribute largely to all supplies.—That the present parliamentary restrictions prevent us from purchasing the manufactures of Great Britain—That the prosperity of the colonies depends on the enjoyment of their rights, and a mutual beneficial intercourse with the mother country.—That it is the subjects right to petition king, lords, and commons, and *our* duty, by a loyal and dutiful address to the king, and humble application to both houses, to procure a repeal of the stamp act and others, restricting trade, and extending the admiralty jurisdictions. I give the substance.

You may, hence, collect the scope of the petitions, and will soon see them at full length. The acts of the congress conclude, recommending it to the colonies, to solicit their cause by special agents from each.

WHAT say you to the American parliament, *only to meddle with supplies*, composed of deputies from each colony ; a council during good behaviour ; and a lord lieutenant at pleasure.—Great Britain to ride mistress of life, liberty, and commerce, and so to retain all the

^a They would not be persuaded to a full recognition of the authority of parliament.

power she can desire (leaving us a reasonable security) a power necessary for supreme direction.

THIS, 'tis true, is a novelty, but more in the form than substance; and when a new adventitious state arises, why not adopt new principles? Time alters both laws and constitutions of countries—we came out from you freemen—a forfeiture we did not incur—we had the royal licence to emigrate, and there is a merit besides, in extending the trade and dominion, and increasing the number of your subjects—so your king thought; why then these little distinctions, begot and fostered by the crown? This numerous partition of provinces seems now to render the machine of empire too complex—whose fault is that? But 'tis a fault—agreed—provide then a new model correspondent to this new state—if the ancient constitution did not foresee this wide dispersion of its subjects, nor consequently make an equal and suitable provision for their government, let it be confessed on both sides that *so it is*, and a proper one be contrived, in which the millions abroad that are collecting honey for the hive at home, and those who never came out for it, may both be safe. Don't startle at a parliament in America—you have got two in Europe—have made above twenty abroad—we consent that they may be *consolidated* into one—nay! But we are jealous of you, divided as you are, and have more to fear if your power is united. Strange embarrassments—and so, that your jealousies may be gratified—we must be slaves!—Depart from truth and right, and the wisest nations will be convicted of folly and injustice—Let reason, undazzled by the glare of power, decide between us. If one sister asks the sole disposition of the estate of the other, can she be just? If the parliament of Great Britain admit our right of representation, and say, we *virtually* have it, though we don't send a member; what is this but playing the fool, and flying to the old constitution for a covering too narrow to conceal them from nakedness? Again, suppose some ground for your jealousies? Of two evils prefer the least. In attempting to enslave us, you may fall yourselves. That your power will, one day, walk over the Atlantic, 'tis certain—your colonies will exhaust you. A thousand motives excite your people to come hither—our

condescension (to speak like an American) will retard the day of your final overthrow ; permit you the pleasures of a more eastern sun, 'till we have set the house in order, and fitted it for the reception of your king, lords, and commons. This is the natural feat of your empire, and if you will fall in with the proposal, drop your pretence of a virtual representation, and be honest and kind—our parliament, uninfluenced by the contractions incident to little assemblies, will be generous, and support the government with all the trappings and splendour which the most profuse liberality can desire, and your *wise* regulations for our commerce will permit.—But I am insensibly carried into an enormous length—you see how a prospect that saves us from the miseries of a civil war, pleases me. I wish your senators would take a trip to these shores. I think we have no secrets, and am sure an American air would contribute to the clearing some of their heads.—Adieu !

APPENDIX VI.

ON THE ESTABLISHMENT OF THE ROYAL
ACADEMY.

THE state of the polite arts in England at his majesty's accession bordered on national reproach. In the preceding reign they had sustained total neglect; but now a more than common attention to the arts began to manifest itself, not only among the professors, but among the higher ranks of society, which was stimulated by the favour shewn to a new and popular institution, the "Society for the encouragement of "Arts, Manufactures, and Commerce," under whose auspices the annual public exhibitions originated.

To this standard model merit was invited for support and protection, and ability acquired means of obtaining distinction and liberal reward. This bias in favour of the liberal arts was not unnoticed by his majesty; and when the artists formed their plan of uniting in a body, to perpetuate their public exhibitions, and assumed a permanent character by incorporation, the royal consent was graciously conceded, and their charter granted, January 26th 1765.

From this "Incorporated Society of Artists of Great Britain," arose the Royal Academy, in consequence of a dispute between the directors and the fellows, which occasioned a separation of interests.

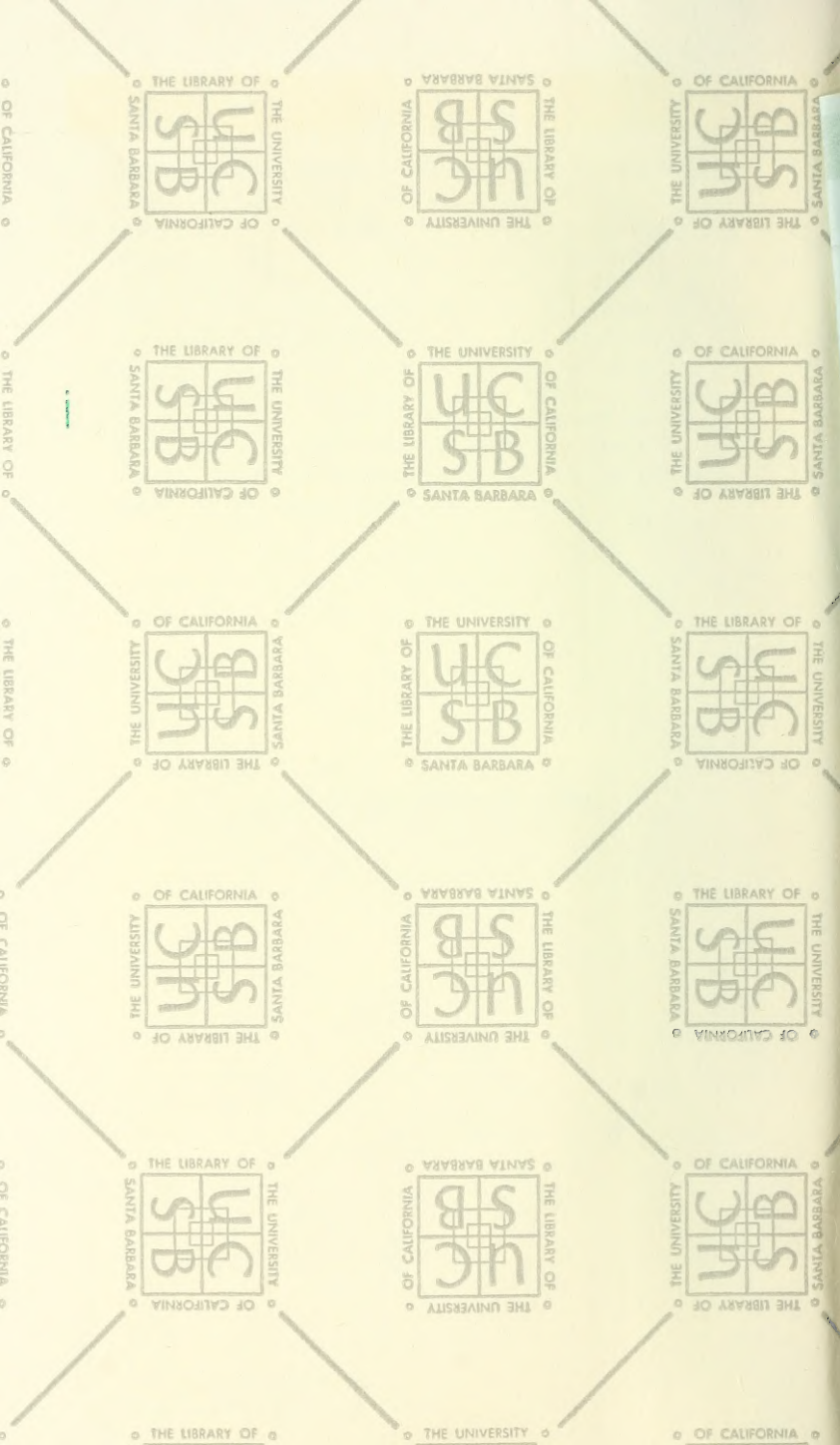
ON the 10th of December 1768, the institution of the present Royal Academy was completed under the immediate patronage of his majesty; and Sir Joshua Reynolds, receiving the honour of knighthood on the occasion, was appointed its first president.

THIS new establishment for the cultivation and promotion of painting, sculpture, and architecture, is supported

ported by the produce of an annual exhibition, a source which of late years has proved fully sufficient; but which at its commencement was assisted by royal bounty to the amount of five thousand pounds.

We have only to turn our eyes to the numerous productions which have passed in review before the public, since these establishments for the encouragement of the elegant arts, to be convinced of the sound policy of giving all possible energy to those exertions of native genius, which in so short a time have turned the tide of public approbation, and added signal glory to the British name, by breaking through all the obstacles raised by prejudice, ignorance, or malice.

END OF THE FIRST VOLUME.



THE LIBRARY OF
THE UNIVERSITY OF CALIFORNIA
SANTA BARBARA

THIS BOOK IS DUE BY THE LAST DATE
STAMPED BELOW

RY FACILITY



3

REC'D FEB 2 1993



